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THE NEW REPUBLIC

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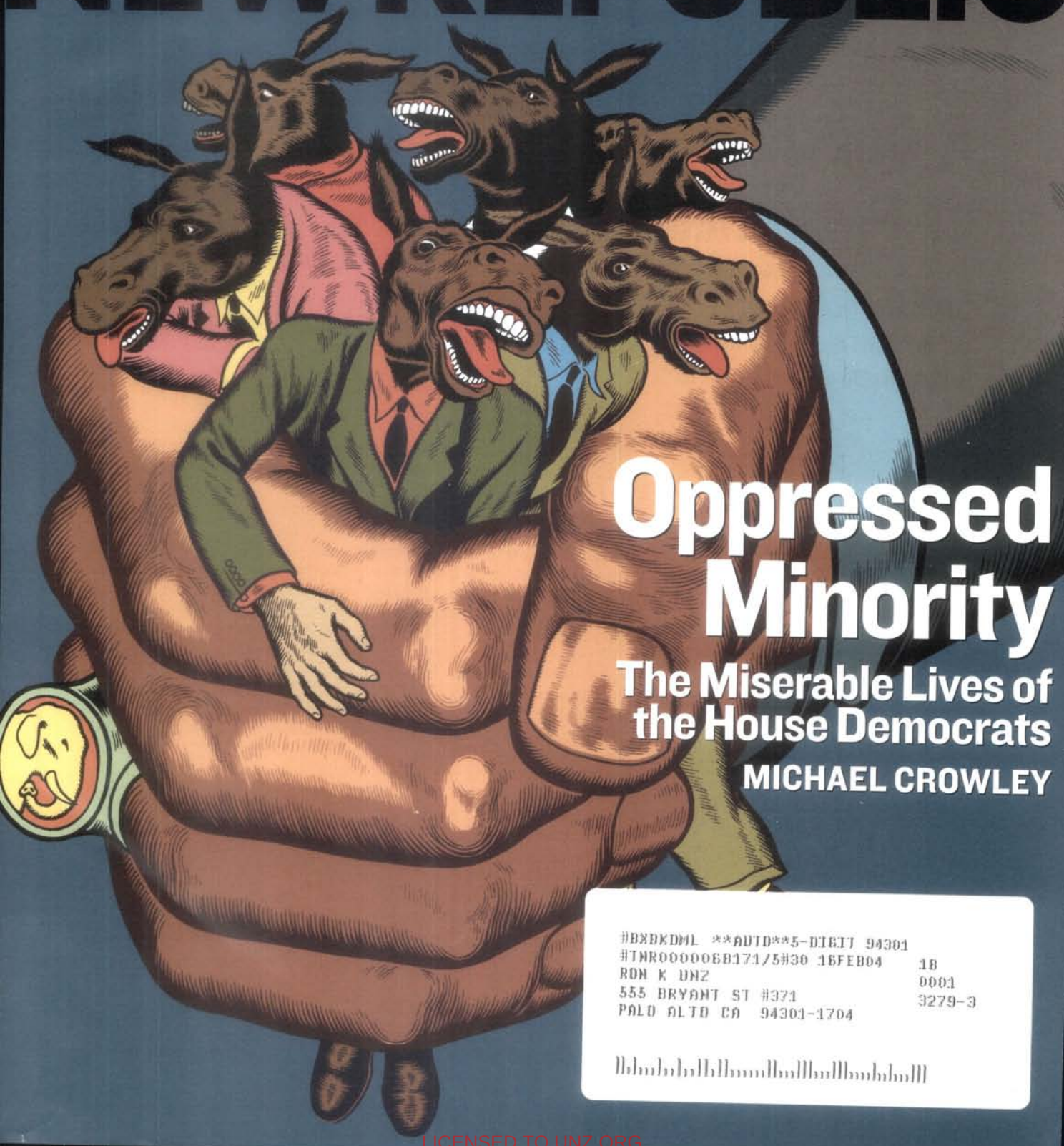

# Oppressed Minority

## The Miserable Lives of the House Democrats

MICHAEL CROWLEY

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## Where We Stand

THE **AFT** ON CRITICAL ISSUES

# A Question of Priorities

***After giving the wealthiest Americans a huge tax cut, Congress and the President now have to decide who will pay for it.***

Just weeks ago, Congress passed, and President Bush signed into law, a massive tax cut that benefits primarily the wealthiest Americans. Now Congress is ironing out the details of the President's 2004 budget proposal, and we see how this tax cut may be paid for—with massive cuts in funding for crucial education programs and other services affecting children and families.

President Bush promised to make education his top domestic priority. But his budget proposal breaks that promise. For instance, his proposal shortchanges Head Start, the valuable program for disadvantaged preschoolers; it doesn't fully fund special education; and it undercuts our nation's long commitment to opening doors to higher education. Perhaps the most egregious contradiction in the budget is that it fails to appropriately fund the No Child Left Behind Act (NCLB), the centerpiece of the President's education agenda.

When he signed the law, the President said that "all students will have a better chance to learn, to excel and to live out their dreams." To its credit, NCLB included provisions that would help low-performing schools improve by raising standards and increasing accountability. But as it now stands, the law may create more problems than it solves—because it contains new mandates but doesn't provide schools with the funding to meet them. For example, NCLB mandates "a highly qualified teacher in every classroom," yet the 2004 budget cuts millions for teacher training. And states can't pick up the slack—many have already cut education and other services to cope with their own huge budget deficits.

The administration's budget defies logic in other ways, as well. It provides no financial support for school districts to modernize run-down buildings or construct new ones to relieve overcrowding. It slashes popular and proven after-school and summer learning programs that have helped boost achievement in urban school districts. And it eliminates money for school counselors, dropout prevention programs, and efforts to make schools and class sizes smaller—things we know make a difference in a child's education.

A budget crafted to sustain a huge tax cut can't possibly support the needs of America's children and their schools—and it doesn't. But it does clarify the priorities of some elected officials. It's time for the elected representatives of the richest nation in the world to make our children's education a real priority—through their actions, as well as their words.

Sandra Feldman

*Sandra Feldman, President, American Federation of Teachers*

To learn more about proposed budget cuts that will affect children and families, please visit our Web site at www.aft.org

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# CORRESPONDENCE

## HIGH STAKES

PETER BEINART'S TRB MISSES THE point in his analysis of the criticism of William Bennett ("Rules of the Game," May 19). Beinart takes liberal authors, such as Joshua Micah Marshall and Michael Kinsley, to task for criticizing Bennett for what Beinart calls private behavior, exactly the sort of thing those authors are supposed to be against. But liberals are not criticizing Bennett for his private behavior—his gambling. I doubt Marshall or Kinsley consider casino gambling, even to the extent practiced by Bennett, an immoral practice. Rather, liberal pundits are criticizing Bennett for his public behavior—his hypocrisy.

If Bennett had been a general-topic conservative pundit, like Sean Hannity, his gambling would be a nonissue. But Bennett has made a career out of specifically castigating others for "immoral" behavior. When it is revealed that he is a major practitioner of what Bennett himself would consider "immoral" behavior, such a revelation is newsworthy not so much for the facts (Bennett is a gambler) as for the analysis that comes from those facts (Bennett is a hypocrite).

**BEN BUTLER**
***Minneapolis, Minnesota***

## GUN SHY

TNR'S EDITORIAL CLAIMS DEMOcratic presidential candidates are foolish not to join Al Sharpton in a victim-disarmament crusade ("Shooting Blanks," May 19). Supposedly, polls show massive popular support for all sorts of gun-control measures. What Democrats learned the hard way in 2000, however, was that the average pro-gun activist is better informed and more persuasive than the average anti-gun activist. Anti-gun majorities in opinion polls tend to evaporate once voters are exposed to the facts: Gun accidents (as distinct from suicides) are much rarer than crimes prevented by honest gun-owners; Britain's 20-year experiment in gun control as a substitute for crime control is a failure; gun-prohibitionist Jamaica has a murder rate many times that of the United States; so-called "smart-gun" technologies don't work yet; and national gun prohibition would not work any better than national drug prohibition.

**HUGO S. CUNNINGHAM**
***Boston, Massachusetts***

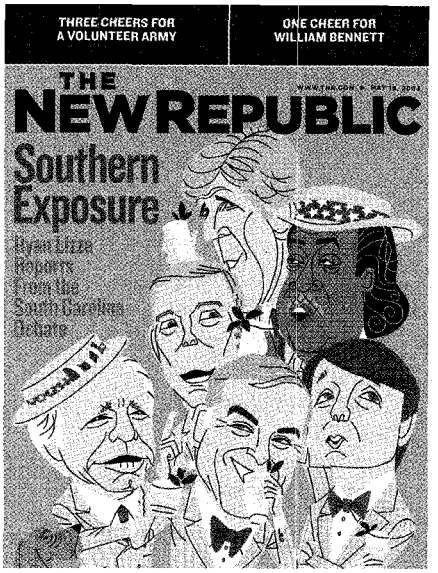
## BOND RATING

AS RICHARD A. POSNER STATES, we could describe conscription as a form of slavery in that one is deprived of the ownership of one's own labor ("An Army of the Willing," May 19). But we could also describe it as a requirement that the citizens of a country (as in Israel) share responsibility for an important decision made by their country (i.e., by them). Posner dismisses the Sandel-Rangel observation that a voluntary army works on the backs of the lower classes with his remark that it is far-fetched and that the consequence of the demographics of the armed forces is that our nation takes pride in the "scions of the lower middle class" who help "bind the different income classes together." This is surely far-fetched. And it ignores the fact that a voluntary army is a license for the government to carry out war for any reason. Apart from the usual postwar flag-waving, where is the evidence of this bonding throughout the different income classes? Among the people I know, I hear no talk of "bonding." What I hear, sometimes, are signs of relief that their friends and children have not been subjected to a draft. The war was a nonissue for them because they had no personal stake in it. Luckily for them, someone else did the dirty work of war. Luckily for the Bush administration, no one was personally concerned enough to ask hard questions about why we should even go to war.

**DR. FRANK FERRARA**
***Chicago, Illinois***

## LEADING ROLE

IN "SORE WINNER," PETER BEINART, who has been admirably clear-headed in analyzing the Iraq war, gets




dewy-eyed and myopic (TRB, May 12). It is one thing to warn against triumphalism, quite another to criticize the administration for pressing its advantage with erstwhile allies and enemies. The judicious use of carrots and sticks is not "bullying"; it is statesmanship. France—and other states that undermined our position and, as is clearest in Turkey's case, cost American lives and treasure—should be made to pay some price, making them more likely to join us in the future. Whether the price the administration is exacting is too high or too low is certainly debatable, but Beinart implies that the price should be zero, lest we appear "vindictive, arrogant, and petty." Yes, these states are democracies and reflected their publics' opinions. But, as Tony Blair has courageously demonstrated, national leadership is about trying to change public opinion or even defying it when need be. And global leadership is about persuading other states to join us when we are right, using the incentives we have at our disposal.

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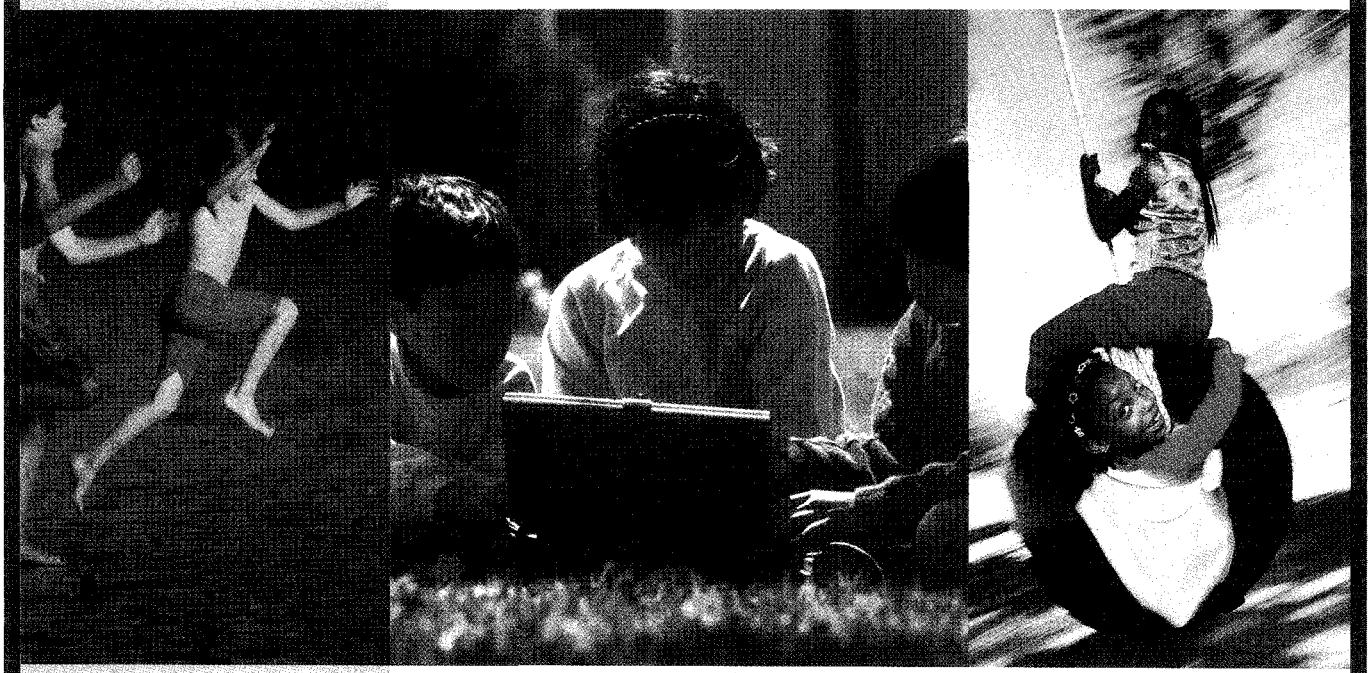

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# Ugly Stepfather

TRB
FROM WASHINGTON

LAST WEEK, AS CIVIL WAR ENgulfed their capital, thousands of desperate Liberians besieged the U.S. Embassy. "Take action now in Liberia to end war as they have in Iraq," implored one man, according to the Associated Press. "Send the Marines to guard us," cried a student. But the Marines stationed on the embassy roof did not venture onto Liberian soil.

Had people in the United States or Europe noticed, they might have found the scene a little jarring. In Europe, the United States is reviled as an imperialist bully, promiscuously intervening in smaller nations. In the United States, Western European countries are scorned as unwilling to ensure security and defend freedom in the ugly, dangerous corners of the globe. And, from an Iraq-centric perspective, those stereotypes make sense.

But consider the view from Liberia. To the west is Sierra Leone. In 2000, with limb-amputating rebels converging on the capital, Britain sent 2,500 troops to save its former colony from catastrophe. Two years later, a democratically elected government rules a united country, 500,000 people have returned to their homes, the rebels have been vanquished, and a war-crimes tribunal pursues their leaders.

To the east is Côte d'Ivoire. In 2002, rebels took up arms against the government, waging a four-month insurgency that cut the country in half. France sent 2,500 peacekeepers to its former colony to enforce a cease-fire. Then it sequestered government and rebel leaders outside Paris until they agreed to a French plan for a national unity government.

Compare that with what the United States has done—or not done—in Liberia. Liberia is as American as Côte d'Ivoire is French or Sierra Leone British. Founded in 1847 by returning American slaves, Liberia's flag resembles the Stars and Stripes. Its capital, Monrovia, is named for America's fifth president. During the cold war, it was America's closest West African ally. Yet the United States, which pledges to bring security and liberty to a vast new sphere of influence in the Middle East and Central Asia, has done nothing of the sort in Liberia, a sphere of U.S. influence for 150 years.

The story of America's post-cold-war abandonment of Liberia begins in September 1990, when the country's president, American ally Samuel Doe, was murdered. A rebel leader named Charles Taylor, already renowned for his brutality, was poised to overrun Monrovia, and many Africans expected the United States to intervene. "We could not understand how the U.S., with its long-standing relationship with Liberia, could remain so aloof," noted Nigeria's then-ambassador in Monrovia. But the United States did remain aloof, even though Assistant Secretary of State for African Affairs Herman Cohen would later admit that "modest U.S. intervention at that point to end the fighting in Monrovia could have avoided the prolonged conflict." Instead, Nigeria and other West African states sent their own—ill-equipped and undisciplined—troops to fight Taylor. After battling for six years with minimal U.S. help, the West African peacekeepers gave up, leaving Taylor free in 1997 to "win" an election for president of a country his troops already largely controlled. (Taylor's child soldiers chanted an unusual campaign slogan: "He killed my pa. He killed my ma. I'll vote for him.")

The takeover was a calamity not only for Liberia but for the entire region. Taylor, who had funded his child army by illegally smuggling diamonds from mines across the border in Sierra Leone, helped create a Sierra Leonian proxy called the Revolutionary United Front (RUF), which specialized in chopping off arms, lips, and hands. British troops eventually prevented an RUF takeover of the country, but Taylor didn't limit his interventions to Sierra Leone. He helped sponsor the rebels that plunged once-stable Côte d'Ivoire into civil war and fomented uprisings in Guinea and Burkina Faso as well.

Côte d'Ivoire and Guinea retaliated by sponsoring rebel groups in Liberia, with the result that, today, transnational war rages across no fewer than five West African states. In Liberia, in a strange replay of what happened in 1990, various rebel groups have now captured most of the country, with Taylor's government controlling only Monrovia. With multifaction street-fighting breaking out near the capital and dead bodies piling up on the streets, observers are once again calling on the United States to act. A recent report by the International Crisis Group (ICG) practically begged the United States to lead a peacekeeping force capable of enforcing a cease-fire, making Taylor step down, and overseeing a new national unity government. "While two permanent members of the Security Council, the U.K. and France, play prominent roles in the closely connected peace processes in Sierra Leone and the Côte d'Ivoire respectively," the ICG wrote, "no one has taken the lead on Liberia. The missing link is the United States." And that link is still missing. When President Bush sent 35 American troops to Monrovia last week, he explained that they were there "solely for the purpose of protecting American citizens and property." The United States isn't even leading the cease-fire negotiations between Taylor and the rebels, leaving that to hapless envoys from the United Nations and Liberia's West African neighbors.

What are the lessons of America's abdication? First, that for all its Wilsonian rhetoric about global freedom, the Bush administration's overall human rights record is no better than that of its European allies. The White House may say it invaded Iraq to rescue a suffering people, but, in countries that lack oil and a strategic location, rescuing suffering people still falls into the reviled Clintonian category of "foreign policy as social work." Afghanistan, one might think, would have alerted the Bushies to the national security consequences of allowing poor, remote countries to descend into anarchy. Evidently not. Charles Taylor—surprise!—has harbored members of Al Qaeda, who use his diamond-smuggling operation to launder money.

Second, if the Bush administration isn't prepared to save countries like Liberia, perhaps its supporters could at least stop lecturing Europe about our morally superior foreign policy. Explaining his government's intervention in Côte d'Ivoire, France's much-loathed Foreign Minister Dominique de Villepin said recently, "France accepts its responsibilities." Can the Bush administration look at Liberia, America's brutalized, abandoned West African stepchild, and say the same?

**PETER BEINART**

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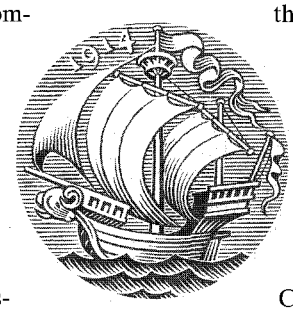
# Wrong Target

IT'S NOT HARD to see why federal prosecutors, striving to look tough on corporate crime, might make an example of Martha Stewart. Stewart is—or was—more than just a rich and powerful CEO; she is arguably a national icon whose prosecution could send a powerful message. As *The Christian Science Monitor* noted on June 5, "Experts say the nine-count indictment of the self-appointed Queen of Good Taste signals that no one is above the law and is part of an effort to restore confidence in a stock market marred in the past two years by a series of financial scandals." Ordinarily, an insider-trading case expected to require thousands of investigative hours would be abandoned, Chris Bebel, a former lawyer for the Securities and Exchange Commission (SEC), told the *Monitor*. But, at this point, the government has a lot riding on Stewart. As London's *Financial Times* put it, "Prosecutors, under political pressure to crack down on corporate wrongdoing, would be open to ridicule if they were to drop the criminal case against Ms. Stewart after a long and high-profile investigation."

That may be, but there is one glaring flaw with making Stewart the poster child for the recent wave of corporate crime: What she did was not a corporate crime. As prosecutors tell it, in December 2001 Stewart unloaded nearly 4,000 shares of ImClone stock based on a tip from her broker's office that her friend, ImClone CEO Samuel Waksal, was attempting to dump his shares. This, says the SEC, which has filed a civil suit, makes Stewart guilty of insider trading. When confronted by regulators, Stewart denied all wrongdoing, claiming to have had a preexisting agreement with her broker to sell ImClone if the share price dipped below $60. She then allegedly lied to investigators, altered written records, and otherwise conspired to derail the government's probe. This, says the New York office of the U.S. district attorney, makes her guilty of obstruction of justice.

Stewart's sins may be bush-league compared with the economic devastation wrought by the likes of Enron and Tyco executives, but the key distinction is not one of scale; it's one of definition. Petty or grand, Stewart's (alleged) crimes are corporate only in the sense that she is an executive. Perhaps aware of this flaw, prosecutors are grasping at straws, charging that, by publicly denying any wrongdoing, Stewart misled her investors about the safety of her company's stock. That's a stretch. Unlike Enron's Ken Lay or WorldCom's Bernard Ebbers, Stewart does not stand charged with cooking her company's books, manipulating its stock price, defrauding its investors, or in any way mismanaging its resources—or even standing dumbly by while others did the same. The shady trade Stewart is accused of conducting did not involve her company's stock or impact her employees' pension funds. Any inside information she had about ImClone did not spring from her position as CEO of MSL Omnimedia. What she did was akin to a rich guy cheating on his income taxes. It may be criminal, but it is not a corporate scandal.



None of which is to suggest that Stewart shouldn't be punished for her misdeeds. But fining or even sending America's most famous hostess to jail will not send any meaningful message about corporate accountability. The only way to do that is to convict the people who actually defrauded their companies. The government is trying: According to a recent piece in *The Boston Globe*, the FBI is pursuing some 100 cases of suspected corporate fraud (ten times the pre-Enron level), while the Justice Department has another 100 investigations ongoing. But the wheels of justice are turning slowly. On June 10, for instance, *The New York Times* (among others) reported that, although two investigations have uncovered fresh evidence that Ebbers was "intimately involved in the downward spiral" of WorldCom, prosecutors may be unable to meet the burden of proof necessary even to indict him for the managerial malfeasance that destroyed his company. On another front, in May the SEC levied a $1.4 billion fine on ten New York investment firms for falsely promoting the weak stocks of their corporate-banking clients. But, so far, only two of the analysts involved in the massive fraud have been barred from the securities business; the overwhelming majority of (alleged) participants—including Citigroup CEO Sanford Weill—remain untouched.

If they evade responsibility, the real message of Stewart's prosecution won't be that corporate chieftains must run their businesses ethically, it will be that celebrities must manage their money ethically. A useful message, perhaps, but hardly one that helps to ensure calamities such as Enron and WorldCom don't happen again. ■

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# NOTEBOOK

## ASHCROFT BREAKS A VOW . . . CLARKE BEGS FOR TIME . . . DANIELS SAYS GOODBYE

### PRIDE AND PREJUDICE

WHEN GEORGE W. BUSH NOMINATED John Ashcroft to serve as attorney general, there were many questions about his fitness to serve, none more pressing than whether Ashcroft—a devout Pentecostal Christian who, as a Missouri senator, had declared his belief that homosexuality is a sin—would adequately protect the rights of gays. During confirmation hearings before the Senate Judiciary Committee, Ashcroft repeatedly insisted that his views on homosexuality would not affect his performance as attorney general and, in particular, that he would not discriminate against homosexuals at the Department of Justice itself—particularly against a group of gay Justice Department employees called DOJ Pride. "Will you permit DOJ Pride, a voluntary organization of gay, lesbian, and bisexual DOJ employees, to continue to use Justice Department facilities on the same basis as other voluntary employee groups or other minority Justice Department employees?" Wisconsin Senator Russ Feingold asked. Ashcroft replied, "It would be my intention not to discriminate against any group appropriately constituted in the Department of Justice."

So it came as something of a surprise to DOJ Pride last week when officials at the Justice Department's equal employment opportunity office notified the group it would not be permitted to hold a ceremony on June 18 in the department's Great Hall to celebrate Gay Pride Month. For the past six years, DOJ Pride has held similar events; indeed, one of Ashcroft's top deputies, Larry Thompson, even spoke at last year's DOJ Pride ceremony. But Justice officials told the group that it couldn't hold this year's event at the department because President Bush has not recognized Gay Pride Month, and Justice has a new policy prohibiting events not recognized by White House proclamation. At least, that's what they said at first. Almost a full week later—after complaints from gay rights groups and threatened hearings by Senator Frank Lautenberg—Justice announced it had all been a big misunderstanding: What they'd *meant* to say was that DOJ Pride could hold its event at the department but would have to pay for it themselves. This desperate quasi-reversal still puts DOJ Pride on different footing from previous years (when Justice paid for the ceremony) and from other diversity events, such as those honoring black and Hispanic employees (for which Justice continues to pay). So, despite his backpedaling, Ashcroft has still broken his confirmation-hearing vow not to discriminate. It's something Democrats might want to remember the next time a fire-breathing conservative promises under oath that he'll leave his personal convictions at the door.

*John Ashcroft*

### TIME LINE

"BEFORE THE WAR, CRITICS MAINtained that United Nations inspectors would need months to years to search for evidence of Iraqi weapons of mass destruction. Yet less than two months after the war, these same critics rush to judgment, unwilling to give coalition forces time to find weapons that Saddam Hussein had years to hide." So explained Pentagon spokesperson Victoria Clarke in a letter to *The New York Times* this week.

We hate to be unsympathetic, but it's not the critics who have changed their stripes. It was the Bush administration that demanded speedy evidence of Iraq's failure to disarm from the U.N. team even though inspectors reported progress and wanted a few more months to complete their work. "This is a matter of weeks, not months," President Bush declared on January 31. "Any attempt to drag the process on for months will be resisted by the United States." It hardly seems hypocritical for administration critics to argue that it should be held to its own standard. After all, the Pentagon has a few advantages the U.N. inspectors did not—military control of Iraq, more than 100,000 troops in the country, and no evil dictator to obstruct the process, to name but a few. Still, Clarke pleads for time: "We have an extensive effort under way. Let's allow our team to finish the job before drawing conclusions." Somewhere, Hans Blix is laughing.

### THE LAST LIE

THIS WEEK, JUST-DEPARTED WHITE House Budget Director Mitch Daniels gave a valedictory interview to *The Washington Post*. As usual, Daniels, who portrays himself as a straight-talking fiscal conservative, explained away the large deficits he leaves behind as in no way the result of his administration's obsessive tax-cutting. "I don't think there was an option but to pursue these policies," he told the *Post*. "Okay,

DAVID COWLES

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have it your way—no tax cuts! We'd still have a great big deficit." Not exactly. Yes, we'd still have a deficit this year. But both liberals and conservatives support running a deficit during the current economic slowdown. The real issue is that, thanks to the administration's reckless tax cuts, we're projected to continue running large deficits long after the economy recovers. But don't take our word for it. Listen to the Office of Management and Budget (OMB), from which Daniels just stepped down. OMB's decidedly sanguine projection earlier this year was that, if there were no further tax cuts, the federal budget would be out of deficit by 2006 and posting a $51 billion surplus in 2008. But, thanks to the White House's latest round of tax cuts and spending, OMB projects that in 2008 the deficit will still be $190 billion, actually increasing from the previous year. (While OMB coyly declines to project budget numbers more than five years out—a Daniels innovation—it's safe to say the Bush deficits would extend far beyond.) Give Daniels this: He departed his job in the same way he performed it—with baldfaced dishonesty.

## STAR OF THE SMALL SCREEN

WE ARE PLEASED TO ANNOUNCE that Lee Siegel will finally be called in our pages what he really is: our TV critic. THE NEW REPUBLIC has never had a TV critic, but it is way past time to acknowledge, for better and for worse, the influence of the small screen on just about every precinct of American life and therefore to rain down upon this medium the same kind of serious, unslumming criticism that the other media of art and culture regularly receive in our pages. Siegel's criticism will be familiar to readers of TNR and many other U.S. magazines and newspapers. In 2002, he was awarded the National Magazine Award for Reviews and Criticism. His appraisal of "reality television" may be found on page 26.

## THE UNBROKEN ESTATE

ONCE AGAIN, WE ARE DELIGHTED TO bask in the glory of James Wood, whose essays in our pages and elsewhere have established his reputation, according to *The New York Times*, as "the most respected literary critic of his time." Now Farrar, Straus and Giroux has published his first novel, *The Book Against God*, a wickedly mordant, exquisitely written, and admirably against-the-grain (it takes philosophy seriously!) tale about a young man struggling to free himself of his religion, his father, and himself and discovering that his fight may not be the surest way to his freedom. In England, this beautiful book has already won praise and provoked controversy. Our colleague turns out to be a formidable critic who is also a formidable novelist: a truly dangerous man. ■

## Inside the Box | Bruce Reed

**ALL THE FITS ARE NEWS TO PRINT** *New York Times* editors Raines and Boyd resign over Blair scandal: "And we were so close to winning the Pulitzer for fiction!"

**THE ALAMO** Iraqis defy United States and press on with plans to pick their own government. Card: "We've finally located the Texas Democrats."

**GREASE IS THE WORD** Westar execs sent House GOP $56,500 in campaign money to buy "a seat at the table" on energy bill. DeLay: "For that, you can't even buy a place setting."

**THE CEO** Bush says he's a "great delegator": "My job is to get the big things wrong."

**ON THE LOOK** Bush says "we'll reveal the truth" about weapons of mass destruction: "But not until we've tried everything else first!"

**THE SHAFT** 2003 tax bill means tax burden on the middle class is going up. Bush defense: "Look on the bright side—so is the chance they won't be working!"

**SAY ANYTHING** John Cusack ends presidential bid. Peace movement's new slogan: "Dude, where's my war?"

**ROUGHING IT** House GOP won't go along with tax credit for working-poor children unless it includes permanent windfall for rich children: "Think what the market plunge has done to their trust funds!"

RAINES: GETTY; CUSACK: ZUMA PRESS

E-COMMERCE 2.0: CONSUMER CHOICE OR CONSUMER PROTECTION?

A DISCUSSION PRESENTED BY

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*The New Republic*'s Symposium on Public Policy

TUESDAY, JUNE 24, 2003

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## Campaign Journal

# Divide and Rule

BY RYAN LIZZA

WASHINGTON IS AWASH in prewar quotations, with Democrats avidly taking inventory of the Bush administration's most dubious pronouncements about Iraq's weapons programs. But not all of the most interesting, now seemingly exaggerated, claims are getting attention. For instance, one high government official confidently asserted last October, "We know that [Saddam Hussein] has chemical and biological weapons." A leading hawk argued that Saddam "has large and growing stockpiles of chemical and biological weapons," including "mustard gas, VX nerve agent, and a range of other chemical weapons." Another official maintained, "[W]e know that he continues to develop weapons of mass destruction [WMD], including nuclear devices; and he may soon have the ability to use nuclear weapons against other nations." Commenting on Iraq's biological weapons program, yet another official said, "Most elements of the program are larger and more advanced than they were before the Gulf war." Who are these mysterious hawks whose prewar analyses of Iraq's WMD capabilities now seem so overblown? John Edwards, Joe Lieberman, Dick Gephardt, and John Kerry. And their past statements are one reason that most of the Democrats running for president are still only tiptoeing around the issue of the missing WMD.

The field has fractured into a spectrum of positions. On the far right is Gephardt, who angered his House Democratic colleagues last fall by backing President Bush on the war and who is now so close to Bush's position on the missing weapons that Ari Fleischer quoted him at the White House daily briefing on Monday. For more than eight months, Gephardt, who voted against the Gulf war in 1991, has been an unapologetic hawk on Iraq, never even hinting that he regretted his pro-war vote. On the intelligence flap, his position is almost identical to Bush's: "There is long, consistent, clear evidence that Saddam Hussein had weapons of mass destruction, and I'm still convinced that we're going to find them," Gephardt said Sunday. Even Bush doesn't seem so sure of that anymore, but there are several reasons Gephardt isn't using the issue against him. For one, he is already on the record making the same case as Bush before the war. His advisers also believe that the key to the Iraq issue is consistency, and, since Gephardt came to the debate with a dovish reputation, any backtracking would expose his vote as political opportunism. "The notable thing here is that he hasn't moved," says an aide. "Sounding like a hawk in Washington and a dove in Iowa doesn't make either side happy." Finally, Gephardt has no incentive to pander to antiwar voters. He's wooing downscale Democrats, many of whom favored the war, not the latte liberals who opposed it.

A few shades to the left of Gephardt are John Edwards and Joe Lieberman. The two senators have staked out positions on the intelligence flap so similar that, in Iowa last weekend, aides to the two men shared a laugh when they realized their talking points were identical. Both insist that legitimate questions are being raised and need to be answered but that it's still too early to make judgments about whether the prewar intelligence was wrong. Like Gephardt, Edwards seems to view the scandal as a test of the sincerity of his pro-war stance. "There may be some candidates that are looking for a way out of their position on the war, but that's not us," says an adviser.

Lieberman, who has started to use his perch on the Governmental Affairs Committee to investigate the Bushies on a couple of fronts, dipped his toe into the waters of the intelligence scandal a little further than Edwards, wondering in Iowa last weekend "whether the administration was overstating the case." But Lieberman, who was the lead sponsor of the war resolution, is also the one candidate who didn't base his vote solely on Saddam's weapons. During the debate, he cited Saddam's human rights record and threat to the region, specifically arguing for regime change rather than simply disarmament.

For John Kerry, it was the opposite. His vote was premised on the weapons, and he said he wouldn't have voted for the resolution had he not been convinced by the intelligence regarding Saddam's arsenal. "[R]egime change in and of itself is not sufficient justification for going to war," Kerry argued last October in a 45-minute Senate speech laying out his position. "As bad as he is, Saddam Hussein, the dictator, is not the cause of war. Saddam Hussein sitting in Baghdad with an arsenal of weapons of mass destruction is a different matter." But Kerry was also careful to attribute his assertions about Saddam's capabilities to U.S. intelligence estimates. Again and again during the Senate debate, he cited "the CIA's report" or "U.S. intelligence experts" or "intelligence reports." Because he was so explicit in conditioning his support for the war on accurate intelligence about Saddam's programs, he arguably has the greatest responsibility to speak out if that intelligence was wrong or manipulated. But, because he has been ambivalent about the war, he's also the candidate who will be the most criticized if he jumps on the intelligence-scandal bandwagon. Aside from one comment in late May, he has been publicly silent on the subject so far.

Perhaps Kerry understands that Howard Dean is coiled for attack, waiting for any pro-war Democrat to back away from their war vote. Dean is ready to ride a second wave of antiwar outrage among liberals in Iowa and New Hampshire. So far, he has been uncharacteristically cautious in his statements, unwilling to accuse Bush of outright lying or even of exaggerating the intelligence, but his rhetoric suggests he's

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just waiting for the other shoe to drop. Last weekend, he conjured the ghosts of Watergate by wondering, "What did the president know, and when did he know it?" For now, however, he is only insisting that important questions need to be answered rather than hurling accusations of wrongdoing.

Bob Graham is not showing similar restraint. Either Graham is losing it or the former Intelligence Committee chairman knows a whole lot more than the rest of us. A previously soft-spoken moderate who in the past made a bland electability pitch to voters, Graham is now far out in front of his Democratic rivals in accusing Bush of malfeasance. He is not just calling for an investigation into whether Saddam's capabilities were overestimated, he's accusing Bush of intentionally misrepresenting the prewar intelligence by cherry-picking the most damning assessments while burying any doubts expressed by other intelligence analysts. "That information was essentially politicalized, manipulated," Graham said last weekend in Iowa, according to *The Des Moines Register*. "Those parts that the president liked became placed in the president's speeches, and those that they didn't like got put in the trash can."

Most of the top-tier candidates think Graham is out on a limb. "Graham is on the brink," says an aide to a rival campaign. "If WMD are found, he's isolated himself from the rest of the field and damaged his credibility on this issue." A senior adviser to another pro-war candidate adds, "Our foreign policy people think this is going nowhere." But even the cautious pro-war candidates are reserving the right to change their minds. Says an aide to one of Graham's rivals, "[We] are perfectly positioned to pounce on the administration if new information comes to light." As long as no one notices those prewar quotes about Saddam's WMD, that is. ■

## The GOP's new Medicare plan.

# Dr. Strangelove

BY JACOB S. HACKER

LAST WEEK, WHEN Senate leaders announced they had agreed upon a bipartisan compromise for Medicare reform, Majority Leader Bill Frist insisted that the new proposal "meets all of the president's principles that have been laid out to date." Nothing could be further from the truth. When George W. Bush unveiled his vision for Medicare reform during January's State of the Union address, he was intent upon transforming it from a government-run insurance program into a system of competing private insurance plans—with prescription-drug coverage doing the dirty work. Basically, older Americans hankering for drug coverage would have a choice: Leave Medicare to enroll in a private health plan, or get no drug protection whatsoever. Even though seniors loved Medicare, the thinking went, they were so scared by skyrocketing prescription costs that they'd make the switch anyway, thereby accomplishing a transformation conservatives have long coveted.

But, with even some Republicans balking at such radical changes, the administration quickly backpedaled. After his initial concessions were spurned, Bush promised to let Senate Republicans, such as Finance Committee Chair Charles Grassley, broker a compromise. Grassley eventually came up with the scheme announced last week, under which Medicare beneficiaries who remain in the traditional program could get the very same drug coverage as those who opt for private coverage. In other words, Grassley and his colleagues ended up rejecting Bush's most fundamental reform principle. Yet, this week, Bush signaled that he'd sign the bill anyway.

Why the cave-in? Just look at the polls. Nearly 80 percent of Americans support delaying the 2001 tax cut to pay for Medicare prescription drugs. Bush may have been able to flout the weak and diffuse sentiment against a big tax cut in 2003, but there's a huge difference between giving people more of what they only desire weakly and not giving them something that they want desperately. As Harvard public opinion expert Robert Blendon explained to *The Washington Post*, "Karl Rove's strategy is that to maintain the majority, you have to do things. Two years from now, they'll have a list of health care items and something to check in each box."

But Bush had better hope the mere promise of benefits is enough to satisfy voters, because actual relief may not arrive soon—and, when it does, it could be much less than most people expect. So far, in the Medicare debate, journalists have fixated on the big distinctions and aggregate spending figures—Bush's $400 billion over ten years, the Democrats' $800 billion plan—rather than on the fine print. But it's in the fine print where all the problems are.

While the Senate rejected Bush's demand that seniors enroll in private health plans to get drug coverage, they left intact another conservative idea: Under the new compromise, the federal government would contract with private insurers to offer drug coverage rather than provide the benefit directly. So, while senior citizens wouldn't have to leave government-run Medicare to obtain drug protection, they would still have to get the drug coverage itself from a private insurer. Only if an area were served by fewer than two prescription insurers—say, in a rural state—would the government step in and offer benefits directly to seniors.

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Doing this satisfies conservatives' free-market instincts, but it may not satisfy the need for drug coverage. The last effort to make private insurance companies more active participants in Medicare, in 1997, was a fiasco. Back then, private insurance plans rushed to offer new benefit packages, only to decide they couldn't make enough money from insuring illness-prone seniors. They fled the program in droves, stranding literally millions without coverage.

Putting private companies in charge of prescription coverage could turn out even worse. Plans that offer prescription-drug coverage will be covering a single, highly concentrated medical expense—in which a very small number of beneficiaries incur most of the costs—so making money would be even more difficult. Some plans would probably try to skim the Medicare population for the very healthiest (and cheapest to insure) patients, leaving other plans with disproportionately sick patients and wreaking actuarial havoc. That's one reason health insurance representatives quashed the idea in 2001 and seem none too eager to try it again. As one HMO analyst told *The New York Times* this week, "The private sector that is supposed to be excited about this isn't."

But these deficiencies look mild when compared with the likely benefit structure. If the present proposal were to become law, a senior citizen would pay a $275 deductible, then get coverage for half of his drug costs up to $3,450. After that, however, the senior citizen would get no help whatsoever until he had spent a total of $4,000 of his own money—or around $5,300 in total prescription purchases. For expenditures beyond that, drug benefits would kick in once again, though seniors would be responsible for 10 percent of these additional costs.

This Rube Goldberg design, with its large "donut hole," has no rational policy basis other than the need to stay within the agreed-upon $400 billion, ten-year price tag. After all, a good insurance policy should offer gradually more coverage as expenses go up—mixing shared responsibility for initial costs with protection against the financial strain more serious illness imposes. But, since only a tiny minority of seniors ever incur catastrophic drug costs, this drug benefit would work in precisely the opposite way for most seniors. For example, an elderly widow with $6,000 in annual pharmaceutical costs would end up paying more than $4,000 of her drug expenses—or two-thirds of her total costs—while a beneficiary with just $2,000 in costs would pay about half of the total bill. That's a total perversion of normal insurance principles.

Unfortunately, flipping the coverage would create its own set of problems, given that even the current proposal may strike many Americans as far too stingy. Less than half of Americans consider a plan that pays for 50 percent of seniors' drug costs an adequate benefit—a rational choice, given that private insurance plans for the non-elderly typically cover a lot more than that. Yet almost all Medicare beneficiaries will get less than that under the new plan. And, since nearly two-thirds of senior citizens have some (frequently inadequate) drug coverage already, the Senate's plan might actually leave these seniors not much better off than they are now. In fact, some might end up even worse off if employers respond to the new Medicare benefit by further cutting back retiree coverage.

The direst scenario would be a political backlash reminiscent of what happened after the short-lived 1988 Medicare Catastrophic Coverage Act, when a mob of seniors famously chased Dan Rostenkowski, the burly former head of the House Ways and Means Committee, into his waiting limousine. They were not reenacting Monty Python's "Hell's Grannies" skit; they were protesting the legislation's skimpy benefits (and its tax increase on the elderly alone, which this bill does not contain). Congress repealed the program a year later.

So perhaps the real solution to the prescription-drug problem is to include a benefit as part of Medicare and, yes, spend even more money on it. Remember, as big as $400 billion sounds, it is just a fraction of the nearly $2 trillion the Congressional Budget Office estimates seniors will spend on outpatient prescription drugs over the next decade. True, financing a larger prescription benefit would mean repealing or delaying the Bush tax cuts, raising insurance premiums, or increasing taxes. But, in the end, somebody is going to pay for these drugs anyway—the question is how that burden is distributed. Having Medicare cover drugs means spreading the financial responsibility progressively, with the wealthy subsidizing the non-wealthy and the healthy subsidizing the ill. The less Medicare covers, the more that burden falls on senior citizens and their families individually—a burden some can bear only with great difficulty and some cannot bear at all. Protection from such risk is the whole point of social insurance. That is why Congress should not only enact a Medicare drug benefit but also make sure it's an adequate and workable one—even if President Bush disagrees. ■

## Sodomy statutes as weapons.

# Ripple Effect

BY JOSEPH LANDAU

IN THE NEXT two weeks, the Supreme Court will rule, in *Lawrence* v. *Texas*, on the constitutionality of Texas's law criminalizing consensual homosexual sodomy. The case involves the arrests and convictions of John Lawrence and Tyron Garner, who were discovered having sex in Lawrence's bedroom when police responded to a false report by a neighbor that a man was "going crazy" in the apartment. The two men were arrested, convicted, fined, and jailed. If,

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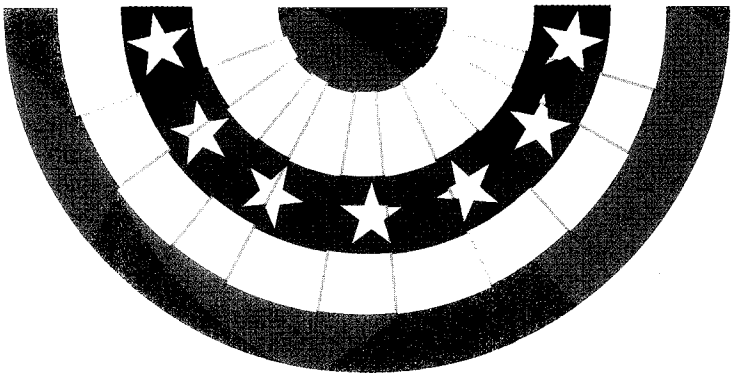
# THE TNR PRIMARY



HOWARD DEAN
JOHN EDWARDS
DICK GEPHARDT

BOB GRAHAM
JOHN KERRY
JOE LIEBERMAN

## EIGHT MONTHS, SIX CANDIDATES, ONE WINNER.

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TUNE IN DAILY, AS TNR WRITERS RATE THE CANDIDATES EVERY STEP OF THE WAY.

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as anticipated, the Supremes overturn the Texas law, their ruling would invalidate four anti-sodomy laws punishing same-sex behavior, or 13 such laws outlawing same- and opposite-sex behavior, depending on the grounds on which they rule.

Most observers describe the case's primary impact as symbolic and political, rather than legal: After all, sodomy laws are almost never enforced. (The exception is in cases of sexual abuse and assault where the government cannot meet the standard for proving rape.) A decision striking down the law "would be an important symbolic victory for gay activists, but it would not change the lives of most gay people, because these laws, however noxious in theory, are rarely enforced," explained *The Economist*. *USA Today* concurs that the ruling "holds great symbolic value, if not practical consequence, both for gay people and for conservative family and religious groups."

But, in fact, the legal impact of the ruling could be far-reaching. For, even if sodomy laws are rarely enforced, they are frequently invoked in civil cases, particularly parental custody and discrimination ones, whether over equal employment opportunities or equal access to school facilities. Sodomy laws, in other words, actually matter a lot—and overturning them could mean toppling an entire edifice of anti-gay law.

SODOMY LAWS LOOM large in family-law matters and especially in custody and visitation cases. They are frequently invoked to paint gay parents as criminals who cannot provide good homes for children, even in cases where the evidence is clear that the child prefers—or is safer—living with the gay parent. For instance, in 1998, an Alabama trial court awarded custody of two young children to a man described as a violent alcoholic who had beaten his wife and threatened to kill his kids—all to avoid placing the children in a home headed by the lesbian mother and her partner. When the mother appealed, the Alabama Supreme Court approved the order, noting, "The conduct inherent in lesbianism is illegal in Alabama." The mother, "therefore, is continually engaging in conduct that violates the criminal law of this state. Exposing her children to ... a lifestyle ... that is illegal under the laws of this state ... could greatly traumatize them." Last year, the Alabama Supreme Court again invoked its anti-sodomy law to deny a lesbian custody over her children—even though the appellate court had ruled that the father abused his children by slapping them on two occasions and whipping them on another.

In a 1993 custody case in Virginia, a trial judge allowed a child's grandmother to prevail over his natural mother—a radical move under Virginia law—because his mother is a lesbian. The judge stated, "I will tell you first that the mother's conduct is illegal. It is a Class 6 felony in the Commonwealth of Virginia. ... And it is the opinion of this Court that the [mother's] conduct renders her an unfit parent. However, I also must recognize, and do recognize, that there is a presumption in the law in favor of the custody being with the natural parent. And I then ask myself, are [the mother's] circumstances of unfitness ... of such an extraordinary nature as to rebut this presumption. My answer to this is yes." The mother appealed all the way to the Virginia Supreme Court, which approved the ruling, noting, "Conduct inherent in lesbianism is punishable as a Class 6 felony in the Commonwealth; thus, that conduct is another important consideration in determining custody."

Courts have even applied this reasoning in states where sodomy is not illegal. In 1985, for example, a Pennsylvania appellate court affirmed a trial-court order refusing a lesbian mother expanded custody of her two children. Though the court noted that gay sex was not against the law in Pennsylvania, it worried that "permitting the [mother] the freedom to travel could clearly place the children in a situation with the mother and [her partner], where the adults could be subject to arrest and prosecution for deviant sexual behavior." Rather than follow Pennsylvania law, then, the court bowed to "the national bias ... to favor the non-homosexual parent in a custody case." Similarly, in 1999, the Supreme Court of Mississippi upheld a lower-court custody judgment selecting a mother whose new husband was a convicted felon, wife-beater, and abuser of drugs and alcohol instead of the natural father, who was gay and lived in California, which had repealed its sodomy law in 1975. The court explained its ruling by noting that the "fact that the [father] and his 'life partner' engage in sexual activity which include both oral and anal intercourse is repugnant to this Court as constituting a felony act under the laws of this state."

If the Supreme Court overturns *Lawrence* v. *Texas*, will it deny state courts the legal rationale for discriminating against gay parents? There is evidence that it will. In April, an Arkansas appellate court ruled that a lesbian mother could have custody of her children despite the fact that prior case law clearly established that "illicit sexual conduct on the part of the custodial parent is detrimental to the children." But, because Arkansas's sodomy law had been struck down nine months earlier, the court reversed course and awarded custody to the lesbian. "Either way," says Tamara Lange, a staff attorney with the American Civil Liberties Union's Lesbian & Gay Rights Project, "courts look to a sodomy law's existence or demise in determining whether gay or lesbian people should have custody of their kids."

SODOMY LAWS HAVE also been invoked in employment-discrimination cases. After the Supreme Court upheld Georgia's sodomy law in the 1986 case *Bowers* v. *Hardwick*, the Court of Appeals for the District of Columbia Circuit noted that "it is hardly open to a lower court to conclude that state-sponsored [job] discrimination against [gays and lesbians] is invidious. After all, there can be hardly more palpable discrimination against a class than making the conduct that defines the class criminal." In other words, if a state can criminalize gay

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sexual conduct, it can certainly commit lesser evils, such as denying gay people a job.

Lawyer Robin Shahar found this out when she tried to challenge a decision by her boss, Georgia Attorney General Michael Bowers (the same Bowers from *Bowers* v. *Hardwick*), to fire her when he found out that she is a lesbian. Shahar had worked for the attorney general's office for a summer during law school and, upon graduation, had accepted a permanent job offer. But Bowers revoked the offer when he learned of her upcoming commitment ceremony because, as he saw it, having a lesbian on staff would disrupt the office's ability to prosecute the state's anti-sodomy law. After a federal trial judge upheld Bowers's termination of Shahar, the ruling was affirmed by the full Court of Appeals for the Eleventh Circuit. "We acknowledge that some reasonable persons may suspect that having a Staff Attorney who is part of a same-sex 'marriage' is the same thing as having a Staff Attorney who violates the State's law against homosexual sodomy. So, we accept that Shahar's participation in a same-sex 'wedding' and 'marriage' could undermine confidence about the Attorney General's commitment to enforce the State's law against homosexual sodomy."

Similarly, numerous law enforcement organizations around the country, with blessings from the courts, have refused to hire gay and lesbian applicants or have fired them based on their purported criminal identity. In 1993, the *Chicago Tribune* reported the story of a San Francisco FBI applicant who described "an amazingly humiliating inquisition" by two agents who wanted to know if she had ever engaged in oral sex with another woman. "After she acknowledged that she had, [the agents] told her it would be hard for the FBI to hire her because it would not be able to transfer her to ... states with sodomy laws."

Outside the purview of the courts, sodomy laws have been invoked in state legislatures as rationales for killing legislation that would protect gays from discrimination or extend to them benefits available to heterosexuals. In 1991, Utah legislators successfully staved off an amendment that would include gays and lesbians in a hate-crimes bill by noting the apparent contradiction of offering legal protection to a group of people who were outlaws under the criminal law. As State Representative Merrill Nelson argued on the floor of the Utah House of Representatives, "As you know, homosexuality—sodomy—is prohibited under Utah law, so the effect of granting special protection ... to homosexuals would be contradictory under Utah law." Kansas's sodomy law was invoked in a successful effort to prevent the Topeka Human Relations Commission from studying the issue of discrimination against gays and lesbians. And Arizona legislators successfully invoked similar arguments to prevent the passage of laws protecting victims of same-sex domestic violence. "For those of us who are opposed to that type of lifestyle," argued Republican State Senator David Petersen, "the mere fact that you start to break down the laws [against sodomy] on the books and say that it's OK is a step in the wrong direction."

SODOMY LAWS HAVE been invoked to stop gays and lesbians from even meeting each other on university campuses. In a seminal 1977 case, *Gay Lib* v. *The University of Missouri*, students sued the university for violating First Amendment rights of speech and association after university administrators refused to recognize a gay organization. The university argued that public meetings would likely result in increased sodomy, which violated Missouri law. "[W]herever you have a convocation of homosexuals," explained Charles Socarides, a psychiatrist hired by the university, "you are going to have increased homosexual activities, which, of course, includes sodomy." The university lost the case and appealed it all the way to the U.S. Supreme Court, which refused to hear the challenge. Chief Justice William Rehnquist (then an associate justice) dissented from the Court's decision not to hear the case. As he saw it, "The University merely refused to recognize an organization whose activities were found to be likely to incite a violation of a valid state criminal statute. ... From the point of view of the University, ... the question is more akin to whether those suffering from measles have a constitutional right, in violation of quarantine regulations, to associate together and with others who do not presently have measles, in order to urge repeal of a state law providing that measles sufferers be quarantined."

But, if such efforts have failed at the universities, they have proved very effective at the high school level, where sodomy laws have been invoked to limit discussion of homosexuality and to prevent gay organizations from forming. Under Alabama statutory law, for example, any course materials or instruction in public schools relating to sex education must emphasize, "in a factual matter and from a public health perspective, that homosexuality is not a lifestyle acceptable to the general public and that homosexual conduct is a criminal offense under the laws of the state." Texas law governing "Education Programs for Minors" contains a similar requirement that "[t]he materials in the education programs intended for persons younger than 18 years of age must ... state that homosexual conduct is not an acceptable lifestyle and is a criminal offense." Legislatures and school boards have also stymied the formation of high school gay-straight alliances ("GSAs"), which exist in nearly 2,000 high schools across 46 states and the District of Columbia. This year, a 17-year-old junior at Klein High School in Harris County, Texas, tried to start a GSA after she was pushed into a wall of lockers by a group of boys and called a "faggot." The school district responded to her request for a GSA by banning all school groups that promote criminal behavior. Utah similarly tried to stamp out GSAs by permitting its local schools to ban all clubs that promote illegal behavior.

Sodomy laws, in short, have a ripple effect throughout U.S. case law. In 1999, Texas's sodomy law was approvingly cited by a state court in imposing the death penalty. The defendant was convicted of capital murder, and the state referred to a 1971 sodomy conviction to argue that he posed a

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future danger to society. (His capital sentence was eventually thrown out by a federal judge on the grounds that his lawyer, Joe Cannon, slept during substantial portions of the trial.) In 1991, one Georgia court even voided the sale of a house between two lesbians, reasoning that, because criminal acts of sodomy had likely been committed in the house, the two women could not enter into a contract to sell it. (The Georgia Supreme Court reversed this ruling in 1992.) Texas courts have also ruled that the mere accusation that a person is gay is a presumptively defamatory statement because it imputes "the commission of the crime of sodomy which is a penal offense in Texas." And the Missouri Supreme Court in 1985 suspended its law regarding spousal testimonial privilege in one case because one of the spouses turned out to be gay.

Such cases highlight the enormous importance of *Lawrence* v. *Texas*. Should the Supreme Court overturn Texas's sodomy law, it will provide protection not only for the unlucky few who find themselves prosecuted for consensual sex but for the many more who face legal discrimination justified by such laws. And that will be a welcome change indeed. ■

## Beijing Dispatch

# Mussolini Redux

BY JASPER BECKER

WITH CLENCHED FISTS raised high, the rows of students in red neckties stood solemnly amid the baroque ruins of the great Qing Emperor Qianlong's Garden of Perfect Splendor and swore an oath of loyalty to the Chinese Communist Party (CCP). Amid this tangible symbol of how the West humiliated China—British and French troops burned down the garden in 1860—they vowed to sacrifice their lives to the nation and affirmed their belief that only the CCP can restore China to its former glory.

The ceremony was only one of hundreds of similar rituals performed regularly by youth cadres these days in China, where the CCP has abandoned even its pretenses of being a communist organization. Yet this jettisoning of communism is hardly reason to celebrate. As the militaristic garden rite suggests, China today is replacing communism with something at least as bad: It is becoming a right-wing fascist state eerily similar to 1920s Italy.

In the last two decades of the twentieth century, former Chinese leaders Deng Xiaoping and Jiang Zemin discarded nearly every element of communism. Current leader Hu Jintao, who met President George W. Bush last week for the first time in Hu's current capacity, is continuing Deng's and Jiang's work. State farms and factories have been privatized. Stock markets have been opened in Shanghai, Shenzhen, and other cities. China has joined the World Trade Organization and has begun to adhere to international commercial laws. Guaranteed health insurance and pensions have been jettisoned. People have become freer to move around the country, purchase consumer goods, travel abroad, and generally live private lives.

At the sixteenth CCP Congress last November, where Jiang handed over the reins to Hu, the CCP cut its last links to its past as a revolutionary Marxist organization. For the first time, CCP leaders formally allowed capitalists into the party. They abandoned their long-standing claim to represent only the working class and now champion all of society's interests and embrace free-market economic policies. At the conference, keynote speakers dropped all references to Marx, Engels, Lenin, or Stalin. In fact, party leaders now often boast that China's cheap and docile labor force is its greatest attraction to foreign businesses.

REALIZING THAT THE demise of communism deprived the CCP of an ideology and a reason to exist, Jiang, Hu, and their peers are quietly remaking China into a fascist state bearing a striking resemblance to its '20s predecessors. This is not the fascism of the Nazis, with its racial-extermination campaigns and ambitions to reshape the world through total war, but the kind of highly nationalistic right-wing dictatorship that emerged in the '20s and '30s in Germany, Spain, Japan, Romania, and, most notably, Italy. Since at least the late '80s, CCP leaders have demonstrated a commitment to protecting private property while supporting interventionist, futurist industrial policies, an economic program recalling fascist ideas of "planned capitalism." One of the oft-repeated phrases about Benito Mussolini is that he "made the trains run on time." In other words, in Mussolini's Italy, the state took responsibility for an extensive program of public works that glorified the nation, boosting economic growth and encouraging industrialization. Il Duce doubled iron and steel production; drained the Pontine Marshes, a massive area of mosquito-infested bog land; and built the autostrada, a national highway system—all with state deficit spending.

Similarly, the Chinese government has embarked upon an unprecedented series of massive public projects that glorify China and the CCP. These projects range from the Three Gorges Dam, the world's largest, to cross-country oil pipelines. And, just as the public works–heavy economic policies of fascist Italy, Germany, and Japan initially produced strong growth—Germany's economy expanded by 73 percent between 1933 and 1937—so too has China posted high growth rates in recent years. Mussolini himself

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oversaw an extensive program of public works that stimulated employment for a time.

Beyond supporting massive public works, China's still-developing fascism encompasses other aspects of state intervention combined with limited private entrepreneurship. In Mussolini's time, Italian fascists grouped businesses into legally recognized syndicates, such as the National Fascist Confederation of Commerce. Beijing is doing the same. Il Duce himself personally rejected the Soviet Union's goals of abolishing private property and emphasized that corporate interests were important components of society—as long as they were kept in syndicates and guided by the state. China allows private business ownership but demands that its network of CCP cells, which operate within all medium- and large-sized companies, coordinate among corporations within the same industry and ensure that the party remains in control of competition between companies. At the November CCP Congress, many Western media outlets reported that Jiang announced that "market forces [should] play an essential role in the allocation of resources" within China's economy. But Jiang actually said that market forces should "play an essential role ... under the state's macro-economic control." Indeed, in recent years, the CCP has ensured that the fixed-line and wireless-phone industries are controlled by a few large, state-linked companies and has consolidated the country's airline industry into several large air groups.

And, like Il Duce, China's Mandarins have made high technology a centerpiece of their economic ideology. Mussolini was the first leader to closely link a right-wing nationalistic program not with conservative establishment forces but with forward-looking technological changes. In Mussolini's time, this focus was reflected by the fascist artists of the futurism movement, who celebrated technology as a means of advancing future state goals and building a glorious Italy, a nation Mussolini said must be restored to the power and glory it possessed in the days of ancient Rome. Mussolini portrayed Italy as a nation in decay that needed to be reunited and reinvigorated through technology used by private companies but ultimately controlled by the state. The CCP, which also frequently portrays China as a great nation ready to be awakened, has focused on acquiring the most modern technology possible. Visitors to China's museums are taught that China needs to acquire Western science both to defend itself and to restore its former greatness. Accordingly, when China builds new economic projects, it insists on only the most cutting-edge ideas: Shanghai's new light-rail employs magnetic levitation technology that makes it the fastest rail line in the world, technology that Shanghai demanded from the European firms building the rail.

To complement its economic policies, the CCP has developed a neo-fascist political program of mass rallies, nationalist indoctrination, and party control over private lives—but not such control that China today could be called totalitarian. To teach average Chinese that China is a waking power that has often been abused by outsiders, the CCP organizes frequent mass events, such as the garden ceremony and giant pageants attended by hundreds of thousands, as well as other propaganda. And, just as the press under Mussolini played up foreigners' invasions and humiliations of Italy, endless articles in China's state-controlled press remind the Chinese of the West's dominance of Chinese politics and economics before World War II and of Japan's invasion of China in the '30s. In so doing, the party instills a permanent resentment of foreigners, even though far more Chinese have been killed by the CCP than by the United States, Japan, and Great Britain.

The propaganda not only looks backward but also takes in China's current competitors, competitors who threaten the Chinese "motherland." Like Mussolini, Jiang and Hu see their country in the midst of a Darwinian struggle between nations. In 1932, Mussolini announced that "fascism is the doctrine best adapted to represent the tendencies and aspirations of a people, like the people of Italy, who are rising again after many centuries of abasement and foreign servitude." Similarly, Jiang has warned the party faithful that "competition in overall national strength is becoming increasingly fierce." Beijing leverages this victimhood and resentment of foreign powers to increase nationalism and strengthen its international image as it aspires to become a global superpower. On Chinese television, performers from every kind of art express their undying patriotism and devotion to the motherland, which is equated with the party in these devotionals. When necessary, as the accidental bombing of the Chinese Embassy in Belgrade in 1999 and the U.S. spy plane incident of 2001, party leaders and the media draw upon victimhood to whip up masses of protesters against the United States or other countries. Meanwhile, Jiang and other leaders frequently tout China's unity and national strength in messages to foreign countries and in overseas visits.

While stressing China's growing nationalism, CCP leaders also make clear that they are in control. Like Mussolini, who wielded power on the basis of his brand of exuberant nationalism, which claimed to be restoring the fortunes of the Italian people, the CCP emphasizes to the public that only the party can channel their devotion to country and state. Like Mussolini's fascists, who co-opted the entire Italian political spectrum, the CCP, as part of a policy it calls "United Front," has become more inclusive than any previous Chinese party. Instead of excluding the entrepreneur or the intellectual or religious leader, it brings them inside the party's fold. Any group that remains outside the CCP, however, is punished severely. Compared with the late '80s, when there was less personal freedom in China but more room to discuss political reform, today China enforces fewer restrictions on people's individual lives, but the CCP has strengthened its restrictions on any form of free association. Tibetans, Falun Gong members, evangelical Protestants—no one can organize any collective interest group to challenge the state. Mussolini said, "The fascist

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conception of life stresses the importance of the state and accepts the individual only insofar as his interests coincide with the state." Seventy years later, Jiang told his colleagues that the state "organizes the nation but leaves a sufficient margin of liberty to the individual. ... The deciding power in this question cannot be the individual but the state alone."

As in '20s Italy, the CCP's policies keep the ruling elites satisfied. They ensure that profit is private and individual but that loss is public and social. In China, the children of the party hierarchy run semi-privatized companies where they are allowed to keep the rewards for themselves and leave the losses to the state. These policies also enable the party to fund a variety of showcase projects, such as a cross-country railway, that glorify China and the CCP—at the expense of the education and health of heavily taxed peasants.

Ultimately, these fascist policies could ruin the economy. Squandering vast sums on projects such as the Three Gorges Dam leads to excessive public expenditure. Some economists estimate that a proper accounting of China's deficit would place it between 100 and 150 percent of GDP, which is projected to rise significantly in the coming years. Meanwhile, retaining CCP control over the economy will prevent China from developing the rule of law and a true free market necessary to continue its economic growth.

What's more, as the CCP becomes more fascist, it could become increasingly tempted to use its military strength to demonstrate national glory, as Mussolini did by invading Ethiopia in 1935. The CCP and the army are completely intertwined—Jiang is the head of the military—and China's rhetoric is often so vehemently irredentist that a demonstration of military strength, perhaps by invading Taiwan, seems all too possible. The propaganda machine is constantly engaged in an effort to elevate the military's prestige and glorify its victories and contributions to national unity. Far from moving toward a separation of party and military, Jiang insists that "the people's army is a staunch pillar of the people's democratic dictatorship," a term for the CCP. Sometimes, party propaganda suggests that China is only biding its time until the moment comes when it is confident enough to use its national strength and assert its rightful claims in the world.

China need not go down that path. The most optimistic observers see China's neo-fascism as a halfway house to democracy and point out that Taiwan and South Korea evolved from right-wing authoritarian military dictatorships with dirigiste economic policies into flourishing democracies. But, unlike those smaller states, which as the cold war ebbed came under pressure from the West to democratize, China regards itself as an imperium for whom, as Mussolini said, "the growth of empire, that is to say the expansion of the nation, is an essential manifestation of vitality." Hence the immense pride China has shown in recovering Hong Kong and Macau and in stifling the growth of democratic institutions in these territories, tying them closer to an authoritarian government.

While China could follow South Korea, it is more likely that the CCP will remain firmly in power and on its fascist path. For now, there seems little domestic or external push for democratization. After all, Mussolini's policies were never discredited domestically, and, if not for his disastrous wars, the fascists might still be in power there, too. ■

The misery of being a House Democrat.

# Oppressed Minority

BY MICHAEL CROWLEY

Chris Van Hollen came to Washington to make a difference. Running for the House of Representatives in suburban Maryland last year, he called himself a candidate "for people who care about issues." *The Washington Post* agreed, raving that he had "the makings of an exceptionally effective member of Congress." Although he was an obscure state legislator at the time, Van Hollen worked furiously to defeat three strong opponents in a September primary, including the handsome and stupendously well-connected Mark Shriver, who happens to be the nephew of a president named Kennedy. In the general election, he toppled Connie Morella, a 16-year Republican incumbent, becoming one of just two Democrats nationally to defeat a sitting House Republican. The victory prompted the *Post* to declare him "a national Democratic star."

Meeting Van Hollen, it's not hard to understand the acclaim. With his bright eyes and short, curly, reddish hair, he is a model of eager industriousness. A young-looking 44 years old, Van Hollen often wears a self-effacing grin that seems to say, "I'm working hard, but I don't mind it." He carries with him at all times a neatly organized three-ring black binder filled with memos, letters, and his overstuffed daily schedule, which has him constantly racing around the Capitol. Riding an elevator in a House office building recently, Van Hollen used the advantage of his forced confinement to flip open the binder and study a memo when a fel-

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low representative, Michael Castle of Delaware, stepped on. "Working on the elevator?" Castle exclaimed. "Very impressive!" Van Hollen looked up and flashed the working-hard-but-don't-mind grin.

But, on a Tuesday afternoon in mid-May, Van Hollen isn't grinning. He's waiting to ask permission, which will probably not be granted, to make an effort, which will almost certainly fail, to alter a piece of legislation. This has him standing in a hallway outside the door to H-313, a cramped, hard-to-find space on the third floor of the U.S. Capitol Building that serves as the hearing room of the House Rules Committee. While "Rules Committee" may sound like something that enforces dress codes, it is in fact one of the most powerful, if little-known, bodies in Congress. Rules dictates nearly everything that happens on the floor of the House of Representatives, from how long bills will be debated to which amendments and legislative alternatives—if any—will be granted a vote. With a crack of the gavel, the Rules Committee can, and often does, decree that even a bill or an amendment with clear majority support never comes up for a vote. In some ways, the House floor is merely a stage; H-313 is where the scripts are written, the outcomes preordained. Democrats often say that C-SPAN would better serve the public by moving its cameras from the House floor to this room.

Van Hollen is here today because, he says, his constituents are facing a "sneak attack." Earlier in the month, he discovered a provision, buried within a gigantic Pentagon budget bill, that would strip decades-old civil service protections from up to 700,000 Defense Department workers, thousands of whom live in his district. The measure purports to boost efficiency, but, to Van Hollen, it will suddenly, expose these workers to managerial whims—or, worse, raw political pressures. So he wasted little time offering an amendment to strip the provision from the larger defense bill. With the Rules Committee considering whether to allow a vote on his amendment, Van Hollen has come to argue on its behalf. But there's not much cause for optimism. Given the committee's nine-to-four Republican majority, Rules hearings tend to have a kangaroo-court quality.

Suddenly the heavy door swings open, and a young woman in a power suit summons Van Hollen inside. H-313 is an absurdly small space, about half of it consumed by the committee dais, which has the oversized look of a large couch in a tiny studio apartment. A few dozen worn wooden chairs offer visitors less legroom than a coach-class seat. The air is humid and stagnant. Van Hollen navigates a narrow aisle between the chairs and squeezes behind a small witness table alongside Democrat Jim Cooper of Tennessee, the lead co-sponsor of his amendment. Presiding at the dais is John Linder, a grim-faced Georgia Republican. Cooper speaks first, then Van Hollen, who argues his case passionately. "This really should be a bipartisan amendment," he says, as Linder crosses his arms and frowns. "This gives powers to the secretary of defense to rewrite the rules governing civil service at the Department of Defense *at any time*!" Linder's eyes dart impatiently around the room. "It does threaten to undermine the credibility of our civil service as a nonpartisan body," Van Hollen continues—but to little avail. Linder's thoughts are clearly someplace else, someplace where there are no annoying Democrats like Van Hollen. If Linder has listened to a word, there's no sign of it.

When Van Hollen is done speaking, one Democrat on the committee, Jim McGovern of Massachusetts, puts up a token protest to Linder. It would be "outrageous" to quash Van Hollen's amendment, he tells Linder. But McGovern's tone is perfunctory. There is a pause. "Thank you," Linder deadpans. Perhaps five minutes after he arrived, Van Hollen leaves.

WELCOME TO THE life of a House Democrat. It has been nearly a decade since the GOP revolutionaries stormed their way to the House majority in 1994, dethroning Democratic chairmen and ramming through their Contract With America. Today, Democrats say they are languishing under the most despotic majority the modern House has seen. They find themselves a completely subjugated, powerless minority—routinely barred from offering bills and amendments, shut out of committee deliberations, even denied such basic dignities as private meeting space. "It's a fascistic system," fumes George Miller, a fiery California liberal who was recently threatened with removal from the House floor after a particularly furious outburst. "The manner in which they're running the House is corrupt." A Democratic leadership aide is blunter still: "We're basically getting bitch-slapped around by these guys because they control everything."

*Will House Republican tyranny create Gingrich Democrats?*

In some ways, Democrats say, getting kicked while they're down only makes them want to fight harder. And there are occasional, if fleeting, victories—last week, for instance, their resistance forced Republicans to withdraw a bill that could have limited workers'-comp time. But many Democrats also admit that, well, after a while, getting kicked starts to hurt. "Morale is tough

CHRISTOPH HITZ

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now," says Massachusetts Democrat Barney Frank. "It's one thing if you're out there debating and getting covered by the press, and you're fighting it out with [Republicans]. ... We're talking about not just fundamental issues but whether we can even debate fundamental issues." Staffers paint an even bleaker picture. "I'm tired of it," says a Democratic aide departing for a job off the Hill. "It's real hard. ... We're demoralized," says another senior aide, a veteran of more than 20 years. Making matters worse is an acknowledgment among Democrats that, because most competitive House races will likely be in Republican-leaning areas next year, the 2004 elections aren't likely to end their misery.

To an outsider, the haplessness of the House Democrats might seem curious. Proportionally speaking, after all, the House is split about as evenly as the Senate. (The GOP holds a 229-206 House majority—which works out to about the same 52-48 ratio as the Republican-controlled Senate.) But, while Senate Democrats wield real influence, there's often little evidence that House Democrats even exist. That's largely because the Senate is designed to allow individual senators vast power to block nominations and delay floor proceedings. The House, by contrast, offers its leaders enormous power and its rank-and-file members almost none. And, in part because their narrow majority allows so little room for error, Republicans have done a masterful job of exploiting undemocratic mechanisms, such as the Rules Committee, and enforcing a militant party discipline that renders the Democrats irrelevant. "They essentially rig the game," says David Sirota, Democratic spokesman for the House Appropriations Committee. The result is a House that routinely rubber-stamps the White House's agenda and puts immense pressure on the Senate to do the same.

HOUSE REPUBLICANS EXERCISE their absolute power in ways ranging from the grand to the trivial. Most significant is their stranglehold on the legislative process. In committees, Democratic amendments are unwelcome, even those from senior Democrats brimming with expertise. (When the House passed an energy bill earlier this year, John Dingell, a 47-year House veteran who once chaired the Energy and Commerce Committee, was allowed almost no role in shaping the bill.) When a bill is ready to come to the House floor, Rules often decrees that Democrats can't offer a substitute bill of their own. When the House voted last year on a prescription-drug benefit, for instance, the Democratic plan never got a vote, leaving the party legislatively mute on one of its top issues. As for amendments, Rules routinely snuffs out Democratic offerings that have any hope of passing or that might make GOP moderates squirm. During debate on last year's defense appropriations bill, Rules sanctioned just two of 40 proposed Democratic amendments. When House Republicans passed a worker-training bill this spring, they dropped language preventing discrimination on the basis of religious belief. That language was critically important to liberals, but Democrats weren't allowed to force a vote on that central issue; anyone who wanted to protest had to cast a Scroogish vote against the overall bill.

Legislative control can take subtler forms, too. Some Democrats suspect that, in recent years, GOP leaders have intentionally delayed work on annual spending bills. The idea, they say, is to force a last-minute flurry of budgeting that allows Democrats little chance to fight for their priorities. "Last year, they jammed it all into one omnibus bill at the last minute so we didn't have a chance to vote on a lot of individual programs," says Texas Democrat Martin Frost, who notes that budget work is again behind schedule this year. This budget strategy has also helped enable Republicans to kill off the pet budget projects of politically vulnerable Democrats. "They've started to get partisan about those things the last couple of years," says a former top House Democratic policy aide. "They yanked out projects"—such as legitimate infrastructure spending—"that you would never have had a problem with" in the past.

Republicans also put Democrats at a disadvantage by hoarding legislative information. Democrats often don't even see the text of major bills until a few hours before they're expected to vote on them. (Neither do many Republicans—but they, naturally, find far less in such bills to complain about.) The final text of the 3,000-page omnibus budget bill that so galled Frost, for instance, emerged just hours before the House passed it. Meanwhile, Dingell complains that Republicans announce committee hearings on short notice, making it harder for Democrats to call friendly witnesses to testify. "From their perspective, they don't need to tell us anything. We're fundamentally not part of the process," says a Democratic leadership aide.

To the most hard-line Republicans, giving Democrats any legislative role is utterly taboo. Just days after September 11, 2001, for instance, House Speaker Dennis Hastert agreed to work with House and Senate Democrats on an economic recovery package. House Majority Leader Tom DeLay protested the bipartisan work, but Hastert, in a rare assertion of his authority over the rabid Texan, overruled him. In a Capitol building conference room a few days later, staffers for Dick Gephardt, then House minority leader, and Tom Daschle, his Senate counterpart, were working late into the night with Republican aides on the details of an airline bailout. Sometime around 3:30 a.m., DeLay stormed into the room in a rage—"absolutely red-faced, screaming and yelling," according to a Democratic aide who was present. "Who elected you to Congress?" DeLay yelled at Democratic staffers. To the Republicans he shouted, "We're getting out of here," before marching out with the obedient aides in tow. The next day, DeLay introduced a bill stripped of most of the Democratic provisions.

Then there are the petty slights. If Democrats want to plot strategy, for instance, they can't even count on guaranteed meeting space. This year, GOP leaders kicked them out of a spacious Cannon Office Building room where Democrats had held their weekly caucus meeting for the

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past several years. Now they convene in a dank basement room in the Capitol Building—except, that is, on days when Republicans announce they'll be using the room themselves. Earlier this year, Democratic leaders sent a letter to Hastert pleading for a designated, permanently reserved meeting room. They never heard back. "That's a very [Newt] Gingrich type of move," says the leadership aide. "You take the attitude that this is a fight to the death, and you don't give them any breaks. If they can't meet, they can't plan. Why would we help them plan to try to beat us?" When House Democrats held an economic forum earlier this year to spotlight their agenda, the only adequate space they could find was in a *Senate* office building. "We had one hundred House members taking the subway to the Senate to attend a House function," groans another staffer.

No opportunity is spared to shut out the minority. At the Ways and Means Committee, chaired by the intensely acerbic Bill Thomas, Democrats have been barred from using the committee's hearing room for private meetings. Meanwhile, "the Republicans have rallies in it," notes a Democratic aide. Even the committee's traditional bipartisan holiday party is a thing of the past: Last December, committee Republicans decided to keep the good cheer to themselves; Democrats were not invited.

AND, YET, Chris Van Hollen fights on. It is Wednesday, the day after his visit to the Rules Committee. With his amendment's fate still uncertain, he heads to the House floor, where debate has begun on the overall defense bill. Although time is scarce, Democratic leaders have granted Van Hollen two and a half minutes of floor time to make a more public plea for his amendment. Meanwhile, other Democrats are complaining about their own amendments, already rejected by Rules. As Van Hollen strolls onto the floor, Dingell is hollering away in an arm-flapping frenzy. "My Republican colleagues have done the same thing they usually do. They have gagged the minority!" With a smile, Van Hollen takes a seat in the front row and calmly flips through his black binder. When it's his turn to speak, he does so forcefully. "Tucked into this bill, Mr. Chairman, which is so important to our national defense, is a provision that I believe could have long-term negative consequences for our military readiness and effectiveness." Seven hundred thousand Defense Department workers, he says, will be subjected to Donald Rumsfeld's "unchecked authority to rewrite the rules ... with respect to hiring, firing, pay, bonuses."

Just as he's working up a head of steam, a gavel cracks:

"The gentleman's time has expired."

"If I could have just thirty seconds more?" Van Hollen asks. Old Ike Skelton of Missouri, who is managing the bill for the Democrats, shakes his head with regret. Republicans have severely limited debate on the bill, and there's just not enough time to spare. "All right," Van Hollen says quietly, and takes his seat.

A few minutes later, Van Hollen sits in a lobby off the House floor, frustrated. "You get your two minutes, and that's it," he sighs. "Somehow, we've got to draw the attention of the public to how undemocratic the House of Representatives is. We talk about bringing democracy to Iraq, spreading democracy across the globe, but we need a little more democracy right here."

What really upsets Van Hollen is the way the Republicans have—quite consciously, he believes—slipped this contentious civil service provision into a large and popular bill. That prevents GOP moderates from facing a sticky up-or-down vote on the civil service language and, although Van Hollen doesn't say this, presents Democrats like himself with an unpalatable choice. He can vote for the bill, hated provision and all—or he can oppose a military spending bill and look forward to the inevitable assaults on his patriotism. Van Hollen isn't sure what to do. "I haven't said I would vote against the final bill," he explains cautiously. "I support most of what's in this very big bill." Which is just how Republicans planned it.

NOTHING AGONIZES HOUSE Democrats more than the perception that they don't even put up a fight. And, for this, they have a culprit almost as loathsome as Tom DeLay: the media. This dilemma was never more clear than on May 14, when a group of more than a dozen House Democrats, led by Bernie Sanders of Vermont (an independent in name but a loyal Democrat in practice), organized a press conference on a subject of urgent concern to them: an upcoming Federal Communications Commission ruling on media consolidation. The Democrats assembled and waited for the reporters. And waited. None showed up. None, that is, until a scribe from *Roll Call* hurried over to cover the humiliating spectacle of a press conference with no press.

"The press has been disgracefully acquiescent," says Frank. "Democrats these days are told by other Democrats, who are not full-time in politics, 'Well, we're disappointed. We don't hear much from you.'" One reason for this, Democrats say, is that the press doesn't write about the procedural tactics the GOP employs to quash opposition. The public often assumes Democrats rolled over in cases when they were, in fact, steamrolled. "The press won't cover Rules or Rules Committee votes," says Sirota. "It's process—but it's tantamount to substance."

Shrewdly, Republicans make process stories especially unappealing to reporters. The Rules Committee, for instance, often considers controversial bills late at night, long after the evening news and even newspaper deadlines. "They intentionally do things late at night so they can sneak things through," says Frost, who has dubbed this the "Vampire Congress." Another aide offers a blunter assessment, one borne of obvious bitterness: "The press is pretty goddamn lazy. In order to write about the Rules Committee would mean that you actually have to learn something about rules and procedures. And the press just doesn't do that."

What truly drives Democrats berserk, however, are

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media reports declaring that "the Congress" has passed a bill, without any mention of even the most furious Democratic opposition. "We're out there organizing press conferences, fighting them on the floor, debating them nonstop," says a leadership aide, "and what you read in the press is, 'The Congress passed this,' 'The Congress passed that,' and you don't even hear about the opposition." Last month's tax-cut bill offered a case study in the way Democratic resistance often amounts to so much Kabuki theater. With the House GOP pushing a $550 billion tax cut, House Democrats fought the legislation intensely and demanded that a vote be allowed on their own $150 billion plan. On the day of the vote, Charles Rangel, the perpetually hoarse senior Democrat on the Ways and Means Committee, led the fight. "What we are trying to do is have an alternative!" hollered Rangel. "That's not the Republican way, that's not the Democratic way, that's the *American* way! ... We're not asking to win, we're merely asking to be heard." But Republicans only allowed an absurd one hour of debate, and, in the end, Democrats didn't get a vote on their alternative bill. Nor did many Americans hear about their fight. With the House preparing to vote, a glum Democratic leadership aide lingered in a lobby off the House floor. "It's been a depressing day," she confessed. "I'm just out here to badger any reporters into including a paragraph—a *paragraph*—on our alternative. But I don't see anyone." The next day, *The New York Times* did include such a paragraph (after 14 others on the Republican plan), but *The Washington Post, The Wall Street Journal, USA Today,* and two of the three major network news shows made little or no mention of the Democrats' protests.

AS YOU MIGHT expect, Republicans don't feel particularly sorry for their Democratic colleagues. "It's amazing how short a memory these guys have," scoffs a senior GOP aide. "Suddenly, they've developed a conscience about how to treat the minority now that they're in it." Some Democrats do concede that they didn't always treat Republicans well when their roles were reversed. "Our hands are not clean in all this," says a veteran staffer who worked on the Rules Committee under the former Democratic leadership. "In the last couple of years, before we lost the majority, the Democrats were running scared, and we did cut the Republicans off at the knees a few too many times." But most Democrats insist that today's Republicans rule with a heavier hand than they ever did. "I was there, and, if they say that, it's not very close to the truth," harrumphs Dingell. Independent observers tend to agree, if not quite so emphatically. "It's worse," Thomas Mann, a longtime congressional scholar at the Brookings Institution, says of the House's tyranny of the majority. "It's been carried to a new extreme."

More damning are the Republicans' own words from the '90s. When they were in the minority, Republicans wailed that Democrats were effectively disenfranchising millions of American voters. A typical critic was DeLay himself, who complained in 1993 that Democrats were "squelching and squashing the minority" through the rules. "That's what makes this institution ... a shining example of democracy, is that you have this adversarial situation so that truth is out and honesty prevails." Another was David Dreier, who argued, "Frankly, it seems to me that the process of representative government means that a person who represents six hundred thousand people here should have the right to stand up and put forth an amendment and then have it voted down if it is irresponsible." Now that Dreier has ascended to chair the Rules Committee, he has a somewhat different view. "It took us some time to learn about the process of government, so I admit there are some modifications we have made," he told *Roll Call* in January, with hilarious understatement. When Dreier's Republican predecessor, Gerald Solomon, took over the Rules Committee in 1995, he publicly vowed that the committee would grant at least 70 percent of House bills an "open" rule, meaning Democrats could offer amendments freely. That percentage has steadily dropped to the point where, according to Democrats, almost three-quarters of the bills the Rules Committee sent to the House floor last year placed significant restrictions on floor debate.

Even some Republicans are growing embarrassed by this state of affairs. After Democrats were prevented from offering a prescription-drug alternative last year, Minnesota Republican Gil Gutknecht pronounced his own party's move "indefensible." And a former senior House GOP staffer who once chafed under the Democratic majority says he's disappointed to see Republicans adopt the same tactics they once decried. "It's *Animal Farm*, really," he chuckles.

Which should be a lesson for Republicans. They know from firsthand experience that the hostility this kind of abuse engenders doesn't fade fast. Should Democrats win back the House any time soon, they may feel just as unrestrained by the charge of hypocrisy as Republicans have. It's hard to see when or how such a cycle of payback might end. "The thing that troubles me is that more and more Democrats are coming in who know nothing more than the way the Republicans run the place," says Dingell. "And my concern is that the Democrats will come back and think that this is the way that the House and a governmental institution should conduct its business." Coming as it does from an old Hill baron, it's hard to know whether this is an earnest lament or a sly warning. But other Democrats aren't so hard to read. Asked whether Democrats will be hungry for revenge should they win back the majority, a senior Democratic committee aide doesn't miss a beat. "Oh, I think that goes without saying."

FOR NOW, DEMOCRATS are stuck with no good options. Many do say they've been buoyed by the fresh leadership of Nancy Pelosi, who, since becoming their leader last year, has tried to instill a new fighting spirit in her flock. Lately, Pelosi has encouraged guerrilla floor tactics, such as blocking routine legislation

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that Republicans expect to gavel through quickly. But such tactics tend to go largely unnoticed. So what can Democrats do? When Pelosi was asked this question recently, her response was "win the election."

One alternative—occasionally discussed but unlikely to be implemented—would be for Democrats to emulate the strategy that helped the GOP win power in the first place. With Republicans mired in the minority in the 1980s, Gingrich honored no limits in attacking the House's Democratic barons and, by extension, the institution of the House itself. Gingrich took to demonizing House leaders, calling former Speaker Tip O'Neill "corrupt" and "a thug." Along with fellow insurgents, such as Vin Weber and Trent Lott, Gingrich relentlessly attacked the ethics of House Speaker Jim Wright; insinuated that Wright's successor, Tom Foley, was gay; and exposed the House bank "scandal"—turning a harmless perk into a national outrage. (Gingrich even circulated a 1990 memo urging colleagues to use words such as "sick," "pathetic," and "traitor" in their rhetorical assaults.) "Newt had a strategy," says Steve Elmendorf, who served as Gephardt's chief of staff in the House. "His view was, 'We are so far down, and we have so little chance of getting the majority, the only way we can do it is to blow the whole place up.'" But Democrats like to think of themselves as above such tactics. "The problem was always that our members are proud of the institution. So, when someone would make the argument for tearing down the institution on [GOP] ethics, ... it was very hard to get the caucus united around that."

Privately, Democrats believe that the GOP's cozy relationship with K Street lobbyists presents a bonanza of ethics targets. But, ever since a vicious tit-for-tat in the mid-'90s, House leaders have observed an informal truce, reserving Ethics Committee investigations for only the most flagrant and indisputable of violations. Thus, Pelosi resisted pressure from some Democrats earlier this year to pursue allegations that GOP Representative Mike Oxley, chairman of the House Financial Services Committee, pressured a lobbying firm to fire a Democratic staffer and hire a Republican—with the insinuation that he would then drop a committee investigation into the mutual-fund industry. (The truce may also explain why Pelosi hasn't pressed the Ethics Committee to investigate DeLay's role in having the Department of Homeland Security track Texas Democratic legislators who briefly fled the state last month to stop a GOP-driven redistricting plan.) Even suggestions by some Democrats to attack Republicans on the hoary issue of pay-raises (a Gingrich favorite) are quickly argued down, Elmendorf says.

But, if House Democrats aren't willing to adopt Gingrich's institutional nihilism just yet, neither are they ready to give up. So far, they've avoided the mass retirements that could further sap morale and erode their numbers, but that won't last forever. Just ask Tim Roemer. A bright young Democratic moderate from Indiana, Roemer left the House last year after six terms. Speaking from the Washington law firm where he now works, Roemer admits that the drudgery of minority life hastened his exit from the House. And he warns that centrists in particular are feeling disenchanted as the House becomes more and more polarized. "It's gone from a situation where opportunities were pouring down on us and we were the life of the party to [moderates] being on the margins and struggling to be relevant," says Roemer, whose seat was filled by a conservative Republican in November. "I think it can lead to some degree of frustration ... and a reappraisal of why you're there."

On Thursday, the day of the House vote on the defense bill, Chris Van Hollen learns that the Rules Committee, in a vote held late the previous night, has rejected his amendment. He makes one more trek to the House floor—this time to complain, which is all there is left to do. (The full House must still approve the rule, but like all rules it's virtually guaranteed to pass on party lines.) For half an hour, he waits as other Democrats fume over restrictions Republicans have placed on the debate. Martin Frost is shouting about "violence to the tradition of bipartisanship." In the past, Frost argues, Democrats always allowed several days of debate and the free offering of amendments on defense spending bills, in the spirit of national security bipartisanship. This time, Republicans have allowed just two days of debate on the $400 billion bill and are denying several obviously popular amendments, including Van Hollen's. "This is a shameful way to run this institution," Frost fumes. With that, he yields to Van Hollen. "Mr. Speaker," Van Hollen begins, "I think it is outrageous that the rule proposed by the Republican leadership denies the four hundred thirty-five members of this House the opportunity to vote on the amendment to restore certain rights and protections. ..." Perhaps a dozen Democrats and maybe four or five Republicans are present on the House floor. Many are chatting, reading, or typing into their BlackBerries.

Van Hollen's last chance fails when the rule muzzling his amendment is passed. Shortly after casting his futile "no" vote, he sits down at an oak table just off the House floor. "I'm extremely disappointed," Van Hollen says. "It's frustrating." He's not used to this. Although he's only a freshman in the House, Van Hollen spent years in the majority party in the Maryland state legislature. "You sort of know academically what it's like to live in the minority," he had said earlier. "But it's another thing to live it." Later that night, despite the survival of the civil service "sneak attack," Van Hollen will vote for the overall defense bill.

There's no doubt that Chris Van Hollen—smart, hard-working, and eminently likeable as he is—has, as *The Washington Post* wrote, "the makings of an exceptionally effective member of Congress." But, for now, that doesn't mean much. In today's Republican House of horrors, there's simply no such thing as an exceptionally effective Democrat. ■

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# BOOKS & THE ARTS

## STANLEY KAUFFMANN ON FILMS

# To Tell the Truth

A DOCUMENTARY CALLED **CAPTURING THE FRIEDMANS** is rightly credited to Andrew Jarecki, but in point of footage fact the Friedmans did a good deal of the capturing themselves. Jarecki's film gets much of its fullness from the home movies that this family made, most of them in the mid-1980s, before the events that galvanize the film. This is not one more domestic documentary about people so servile to the omnipresence of cameras in our world that they can seat a camera at their dinner table. Jarecki's film is otherwise. It begins cozily enough, another latter-day family album made mobile and vocal, but these home movies lead to darkness.

**CAPTURING THE FRIEDMANS**
(Hit the Ground Running Films)

Prison lies ahead for two of the Friedmans, and though the actions for which they were eventually jailed are dreadful enough, below those actions is another chill: a peculiar perspective on truth. What is involved here is more than the chestnut that liars look the same as other people. It is the crueler fact that apparently the liar can reach a point at which he is able to convince himself that a false statement is as true as its opposite. It is scary. Our world is unsteady enough these days: *Capturing the Friedmans* doesn't make it any steadier. When the film is finished, we think we know the true story, but the truest of its stories is the specter of self-manipulation.

In the 1980s Arnold Friedman was in his fifties, married to the amiable Elaine, with three sons, all ensconced in Great Neck, Long Island, a lush community that the gods seem to have ordained for nice orderly families. Arnold was a retired schoolteacher, much lauded for his teaching, and also gave piano and computer lessons in his home. Through the first several minutes, we anticipate a picture that will seek the extraordinary through the intensity of its ordinariness. Then postal inspectors, who have been suspicious for some time, discover that Arnold is receiving pedophiliac magazines in the mail.

Search warrants allow these inspectors and the police to find piles of such magazines hidden behind the family piano. Although dealing in this material through the mail is a crime, the whole matter seems not much more than a crinkle in Arnold's psyche. Then it is alleged that he has been molesting the boys in his computer class. (Apparently there were no girls.) More: it is alleged that one of his sons, the then-adolescent Jesse, has been participating in this molestation, which includes sodomy. Even more: it is discovered that Arnold had sexual relations with Jesse when the boy was younger. The film enters the strange world where it quintessentially resides when Jesse says that he has no memory of those occasions.

Contradictions of this sort—most of them delivered to Jarecki's camera, some of them implied in the family's merry home movies—are the center of this film. The police arrest father and son, there are charges and lawyers and trials, newspapers howl, and the parents of the molested boys call for punishment. (None of the boys, it seems, ever complained to his parents, which is apparently not exceptional in such cases.) Arnold was found guilty and sentenced to ten to thirty years; eventually he died in prison. Jesse got a five-to-eighteen-year sentence and was released after thirteen years.

There is no ground for disbelieving in their guilt except, dizzily enough, that at times Jesse admits it, brags about it. Those very admissions are both confirmed and contested in the film. Some of the former computer students—now grown men, interviewed in shadow—confirm the misbehavior. Yet another of the former students, his face unshadowed, declares that he never saw any misconduct in those classes and has nothing but praise for Arnold. Jesse's lawyer tells us that his client privately confessed misconduct to him; but Jesse strongly denies that he ever made such a confession and states that he never committed the acts. Later, in a car en route to his sentencing, he almost laughingly tells his brother that he did commit them. Though Arnold never confesses on camera, the child-porno magazines were there and the testimony against him was plentiful. (His wife, who apparently loved him and was satisfied with their marriage, never seems greatly upset by the revelation of Arnold's sexual deviation; she seems much more bothered by the disruption of their family life.) Yet in the home movies we see Arnold, with all the knowledge of his secrets within him, frolicking like any father with his family. His lawyer tells us that on one occasion when he and his client were sitting in the prison visitors' room, Arnold asked to be moved away from a table where a small boy was visiting his father because the boy was getting him excited. Every one of these bluntly disparate moments is presented as the truth.

Jesse is the chief example. The really frightening aspect of the film is that whichever version of his story he is telling, he seems—in his own mind—to be honest. And he conducts the rest of his life in a normal manner. He simply believes whatever it is that he is saying at the moment that he is saying it.

Psychologists surely have plentiful experience of such people. Clinical terms probably lurk nearby. Still, this saga of the Friedmans is more than an account of mental disturbance, because it seems to be less about conscious lying than about the telling of contradictory truths. This phenomenon is upsetting to the viewer and is not assuaged by clinical terms. Jarecki has made the most of these contradictions, presumably because he believes that Jesse and, by implication, Arnold will cause us to examine our assurances about truth, absolute and shining. Possibly we reach a sugges-

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# The Myth of "Settlements"

## Are they indeed the "root cause" of violence in the Middle East?

One of the enduring myths about the Arab-Israeli conflict is that the "settlements" in Judea/Samaria (often called the "West Bank") are the source of the conflict between the Jews and the so-called "Palestinians." If that problem were solved—in other words, if Israel would turn Judea/Samaria over to the "Palestinians"—peace would prevail and the century-old conflict would be ended.

## What are the facts?

**Erroneous Assumptions:** Various fallacies and erroneous assumptions underlie that belief, so often repeated that even those who are friendly to Israel, even many Jews in Israel and in the United States, have come to accept it. Our government, generally friendly to and supportive of Israel, has bought into the myth of the "settlements;" it has regularly and insistently requested that the "settlements" be abandoned and, one supposes, be turned over lock, stock, and barrel to those who are sworn to destroy Israel.

The very designation of the Jewish inhabitants of Judea/Samaria as "settlers" is inappropriate, because it connotes something foreign, intrusive and temporary, something that is purposefully and maliciously imposed. But that is nonsense of course. Why would the quarter-million Jews who live in Judea/Samaria be any more "intrusive" or any more "illegal" than the more than one million Arabs who live in peace in what is called "Israel proper" or west of the so-called "green line"? Nobody considers their presence as intrusive; nobody talks of them as an obstacle to peace.

Most of us, regrettably perhaps, are too worldly and too "sophisticated" to put much stock in the argument that the territories in question, Judea and Samaria, are indeed the ancestral homeland of the Jewish people, that they were promised by God to Abraham and his seed in perpetuity. Jews have lived in that country without interruption since Biblical times. There is no reason why they shouldn't live there now. Why should Judea/Samaria be the only place in the world (except for such countries as Saudi Arabia) where Jews cannot live?

**Legal Aspects:** But how about the legal aspect of this matter? Isn't the "West Bank" "occupied territory" and therefore the Jews have no right to be there? But the historic reality is quite different. Very briefly: The Ottoman Empire was the sovereign in the entire area. After World War I, the British were awarded the Mandate over what was then called Palestine; it composed present-day Israel (including Judea/Samaria) and present-day Jordan. Article 6 of the Mandate "encouraged close settlement by the Jews on the land," including the lands of Judea/Samaria and Gaza (Yesha). That was later confirmed by the Balfour Declaration. Britain, for its own imperial reasons, separated 76 percent of the land—that lying beyond the Jordan River—to create the kingdom of Trans-Jordan (now Jordan) and made it inaccessible to Jews. In 1947, tired of the constant bloodletting between Arabs and Jews, the British threw in the towel and abandoned the Mandate. The UN took over. It devised a plan by which the land west of the Jordan River would be split between the Jews and the Arabs. The Jews, though with heavy heart, accepted the plan. The Arabs virulently rejected it and invaded the nascent Jewish state with the armies of five countries, so as to destroy it at its birth. Miraculously, the Jews prevailed and the State of Israel was born. When the smoke of battle cleared, Jordan was in possession of the West Bank and Egypt in possession of Gaza. They were the "occupiers" and they proceeded to kill many Jews and to drive out the rest. They systematically destroyed all Jewish holy places and all vestiges of Jewish presence. The area was "judenrein."

> "Here is a thought: How about a deal by which the 'settlements' were indeed abandoned, all the Jews were to move to 'Israel proper' and all the Arabs living in Israel would be transferred to Judea/Samaria or to wherever else they wanted to go."

In the Six-Day War of 1967, the Jews reconquered the territories. The concept that Jewish presence in Judea/Samaria is illegal and that the Jews are occupiers is bizarre. It just has been repeated so often and with such vigor that many people have come to accept it.

How about the "Palestinians," whose patrimony this territory supposedly is and about whose olive trees and orange groves we hear endlessly? There is no such people. They are Arabs—the same people as in Lebanon, Syria, Jordan, and beyond. Most of them migrated into the territories and to "Israel proper," attracted by Jewish prosperity and industry. The concept of "Palestinians" as applied to Arabs and as a distinct nationality urgently in need of their own twenty-third Arab state, is a fairly new one; it was not invented until after 1948, when the State of Israel was founded.

But here's a thought: How about a deal by which the "settlements" were indeed abandoned and all the Jews were to move to "Israel proper." At the same time, all the Arabs living in Israel would be transferred to Judea/Samaria or to wherever else they wanted to go. That would indeed make Judea/Samaria "*judenrein*," and what are now Arab lands in Israel would be "*arabrein*." The Arabs could then live in a fully autonomous area in eastern Israel and peace, one would hope, would descend on the holy land.

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tion that many of us who are not mental cases can believe a falsehood even as we speak it.

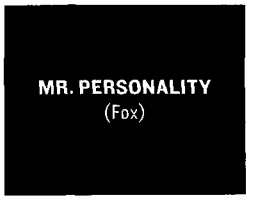
With notable skill, Jarecki and his editor Richard Hankin have interwoven the family movies with interviews of the Friedmans, relevant police officials, postal inspectors, some lawyers, and specialists of several kinds. Jarecki clearly won the confidence of the Friedmans to the point where they speak to him with minimum embarrassment—sometimes with the flavor of performance.

Once in a while Jarecki lapses into directorial ambition. At one point he uses a crane shot above a road and looks out over some fields. He throws in a helicopter view of Great Neck and also some trick shots of the hands on a town clock turning swiftly. These moments jar the *cinéma vérité* quality of the picture, the intent to treat the camera as part of its people's breathing, not as an instrument of aesthetics. Still, *Capturing the Friedmans* is a prime candidate for a time capsule, to disclose a century hence the current state of some of our civilization's discontents, including the ability to be convinced that one is telling the truth even when one is lying. ■

## LEE SIEGEL ON TELEVISION

# Reality in America

FOUR MEN. FOUR MEN LEFT. These are the four finalists, the men among whom Haley must make the most important decision of her life. They are wearing masks. Haley must choose the man she is going to marry, which is the most important decision of her life, among four men who are wearing masks. She will choose, for this most important of decisions, not on the basis of looks, which is of course a superficial standard, and a standard that all the other networks are using, but on the basis of personality. Over the past few weeks, she has gotten to know these men in an incredibly comprehensive way. They have poured out their hearts, each one to the other, and vice versa. They have talked about their favorite wines, and their favorite sports, and their favorite snacks, and their favorite gift ideas. During a candlelit dinner, at a table beside a glimmering bay, underneath dark velvet skies, Haley has asked each startled suitor: "So why should I choose you?" Their answers, though they were all the same, shocked America with their straightforwardness.




And now comes the moment of truth, although there is still one episode left, the heartbreaking segment in which two contestants are suddenly disaggregated into a lucky winner and a pathetic loser who, America hopes, will bear his crippling, devastating, humiliating rejection with dignity and cheerfulness, two qualities that matter a lot more than being a "winner," which probably just means that you knew someone on the inside anyway. Standing a little behind Haley is Monica Lewinsky, who has been advising and consoling and encouraging her throughout her thrilling odyssey. Yes, Monica Lewinsky. Why Monica Lewinsky? Because NBC has people eating live cockroaches on *Fear Factor,* and CBS has people nearly killing each other to prevail on a desert island on *Survivor,* and ABC has *The Bachelor,* in which a man chooses from a group of women, and *The Bachelorette,* in which a woman chooses from a group of men. But no one has thought of getting a celebrity with a racy reputation. Not until *Mr. Personality,* one of America's newest reality television shows.

Only in America could reality become a trend. But then, only in America do we take time out for a "reality check," as if anyone so far gone as to lose his sense of reality would actually know what to check in order to get it back. I mean, get real. Of course, only in America could the admonishment "get real" be a reproach, and "unreality" be a sin. And now that we're on the subject, only in America do we say "I mean" before we say what we mean, as if it was an acceptable convention for people to go around saying what they didn't mean, and it had become another convention to make the distinction, before saying anything of consequence, between meaning and not meaning what you are about to say. Already I'm, like, getting dizzy. Which raises the question of why Americans distance themselves from what they are saying by putting "like" before the description of something, as if people are nervous about committing to a particular version of reality, or to a direct, unmediated, nonmetaphorical experience of the real. "Like" is annoying, but it is a powerful tool of detachment and defense; it is verbal armor. So you see the depth of complexity. It is no surprise that "reality television" has become not just a gigantically profitable object of diversion, but also the subject of appalled concern.

The nature of reality in America has been a riddle ever since Europeans started fleeing their own literal conditions by exporting their dreams here in the form of Noble Savages, the Land of Opportunity, and Mahagonny (the last a shy overture disguised as a knowing sneer). Recently, the Europeans have stopped exporting their dreams over here and begun exporting their "reality": *Survivor,* the granddaddy of reality television, came to these shores from England in 2000, and *Big Brother* and *Fear Factor* came over from Holland and Germany around the same time. Or maybe these are new kinds of dreams. As the culture editor of *Die Zeit* said, "People are missing the real life in their lives."

Medieval artists and artisans staged Catholicism for the masses. The painter Jacques-Louis David helped to orchestrate the French Revolution, the Russian avant-garde helped to design the Russian Revolution, the Nazis aestheticized life to cover up the workings of evil. If Baudrillard sounds comical when he complains that reality has disappeared into folds of media-fabricated "simulacra," it is because he thinks that once upon a time, before the media, there used to be something called reality that was available directly and without the interference of interpretation, that existed in isolation, untouched by artifice. But degrees of so-called unreality have always constituted part of so-called reality. That is why reality is so hard to pin down. Which is why they call it reality.

In America, playing around with representations of reality is as commonplace as buying a pair of sunglasses, or getting a cosmetic makeover, or purchas-

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ing a cell phone with a clearer video display, or … well, you know what I mean. Melville's *The Confidence-Man* portrayed American reality as so malleable that, after a while, the distinction between art and life in that novel melts like celluloid in fire. In *Huckleberry Finn,* Colonel Sherburne shoots the town drunk dead in the street and the townspeople re-enact the shooting seconds after it happens; there is also the question of whether the drunk was playacting when he threatened to shoot Sherburne. Around the turn of the century, immigrant audiences watching the Yiddish version of *King Lear* jumped out of their seats and cried out, "Ungrateful child!" to Cordelia. Orson Welles got everyone hysterical by presenting H. G. Wells's *War of the Worlds* as an actual news event; and people tuning in to the final ride of O. J.'s white Bronco thought that this actual news event was a television drama.

There is more. In the 1960s, people participating in Happenings enacted fragments of life in the context of art, or they enacted fragments of art in the context of life; in the 1980s and 1990s, performance art continued the genre. Back in the '60s, too, everyone was wringing their hands over the so-called New Journalism's conflation of fact and fiction. Remember *In Cold Blood*? Its author proudly called it a non-fiction novel, thereby setting the culture atwitter. The novel, later a movie, was not really a novel but a documentary, or a documentary-like telling, or retelling, of a real event, the murder of a family. But don't worry if you don't remember the book, or the movie. You probably recall that the actor Robert Blake, who starred in the movie as one of the murderers, was recently arrested for cold-blooded murder.

SO REALITY TELEVISION DID NOT come out of nowhere. It is as much an exercise in restoration, an echo of the past, a piece of American tradition, as so many other cultural events are now. American popular culture these days seems to be an endless tunnel of such derivative phantoms: revived plays and musicals; revived movies and revived television series; old movies that become new plays; remixed songs; the familiar-looking children of famous actors; old political speeches that make their way into new political speeches. Almost all the contestants on *American Idol,* a talent contest focused exclusively on finding the best singer, are impersonating the styles of famous singers from the past rather than creating an original style themselves.

Way back in 1980, Harry Waters, the acerbic television critic for *Newsweek,* referred to reality television's forerunners—shows such as *Candid Camera, Real People,* and *The Gong Show*—as "actuality programming." The term "reality television" was used the following year in an article in *The Washington Post* describing television news coverage of Anwar Sadat's assassination. Not only does the nature of reality representation keep shifting, so does the language used to describe it.

Television has its own internal history of changing styles of representation. In the early days of television, even scripted dramas were more "real"—forgive the quotation marks, but what do you do with this word?—than reality television, for the simple reason that they were broadcast live. Today's reality television is heavily edited, musically scored, and constructed with overlapping timeframes that present a participant making voice-over analysis as he and the viewers watch him in a situation taped much earlier. Allen Funt, the host of *Candid Camera,* created mildly embarrassing or charmingly awkward situations, let the hidden camera roll without editing, and then revealed to the subject that he or she should smile because "you're on *Candid Camera.*" The contestants who struggle for dominance on their desert island in *Survivor,* by contrast, have agreed to participate in a highly structured game. They see the camerapeople running all around them, and they watch the heavily edited result later.

A later precursor to reality television, MTV's *Real World,* flashier but similar to its own forerunner *Real People,* simply threw the camera into the participants' lives and let them do whatever they wanted. But the people on *Joe Millionaire, The Bachelor,* and *The Bachelorette* are not, strictly speaking, participants—they are contestants in highly calculated and formulaic situations. Their words and their actions are weighed after taping by a team of producers, who decide what to keep in and what to leave out. In the late 1970s and 1980s, *The Gong Show* vulgarized the old *Amateur Hour* by staging a talent show in which people were invited to debase themselves in outrageous ways. The difference between that show and its present-day descendant, *American Idol,* in which three judges decide on the best singer, is that the latter, for all the judges' near-sadistic treatment of the contestants, is much tamer, much more the product of slick camerawork and editing and a big music-sound.

When the word "reality" is used as a modifier, as in "reality television," it means that the thing modified, in this case television, is being adapted to some generally accepted idea of what "reality" means, not that it is being brought closer to reality. It is like encountering a restaurant in Maryland that offers "continental dining." You know that you are not going to be treated to a dining experience of the sort that you would find in Lausanne or Baden-Baden. You are going to get the popular echo of the generic and generally accepted idea of an authentic European dining experience. And the more universally recognizable a quality is, the further it gets from its original denotation. Caricature is the price of a universal familiarity. The question is what original element of a thing is being caricatured. Will the continental dining experience consist of waiters in long aprons, a menu in French, dim lights, or merely exorbitant prices? The "reality" in reality television is a caricature of the idea of reality.

AND SO THE QUESTION IS, what aspect of reality do the producers of these shows seize on and caricature when they confer upon it the honorific "reality"? It isn't the raw, uncut, unedited spontaneity of the original actuality programs. It isn't the banal, tedious texture of life that you find in *cinéma vérité* or Dogma 95, or in the subtle argument seeping up through the accumulation of suggestive quotidian particulars that you get in a documentary by Frederick Wiseman or Errol Morris. The quality of reality that reality television emphasizes and exaggerates exists only in the negative. It is anything that is not physically perfect, not carefully presented, not stylistically flawless, not shiningly successful—anything that is not packaged in the form of an ideal.

Reality television is a gospel of relaxation, a revolt of the *demos* against the oppressive idealizations of celebrity, and against the onerous images of perfection purveyed by commercial society. Its essential quality is defeat: it celebrates the experience of losing, of being humiliated and rejected, of having your deepest desires unrequited. These become, in reality television, superlative qualities.

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It's true that audiences find themselves comforted by the spectacle of other people's rejection or, in the case of shows such as *Survivor, Fear Factor, American Idol,* and *Are You Hot?,* other people's humiliation. In the end, though, reality television consoles people for their daily failures and defeats rather than making them feel superior to other people's failures and defeats. Reality television replaces the glowing, successful celebrity ideal with gross imperfection and incontrovertible unhappiness. In a ruthlessly competitive society, where the market has become the exclusive arena of success, reality television shames the illusion of meritocracy by making universal the experience of the underdog, the bumbler, the unlucky and unattractive person.

Consider an analogy from American politics. Bush junior, when running for president, misspoke on camera, bumbled, stumbled, got his facts wrong, and generally projected the image of an inferior, inadequate candidate. But he did so with a wink to the audience that acknowledged his inadequacy, and this conspiratorial wink perhaps empowered people by giving them the illusion that they held the secret to his self-presentation. No hidden trickery lay behind the image of Bush on television. He was not a creation of the media; his indictment by the camera was the proof. His magnetism lay in his lack of charisma. He was the antidote to sizzle and buzz, the antihero of the celebrity universe, the encouraging retort to the thronging images of perfection all around us. Who would not prefer true imperfection to false perfection? And so he made universal the viewer's experience of being the underdog, the bumbler, the unlucky and unattractive person. (Never mind that he is one of the luckiest people who ever lived.)

DOUBTLESS PEOPLE WHO PARticipate in reality television hunger to be celebrities—to be beautiful, and excellent, and successful, and rich. But their motivation for being on a particular show is different from the motivation of the show's creators. So, far from being real, reality television shows are, without exception, structured along the lines of a game show. A prize waits at the end of every series: a fiancée, a trip to Hollywood as the "American Idol," a shot at a career in modeling or acting as America's "hottest" physique, a cash prize. Even at the conclusion of *Extreme Makeover,* a reality show that offers three people complete makeovers at the hands of plastic surgeons, cosmetic dentists, and the like, the climactic scene consists of the participants' return home. Will their family and friends be overwhelmed with admiration for their new appearance, thus making the returning participant a winner? ("I can't believe that's my little girl. She's gorgeous.") Or will everyone draw back in horror, thus declaring the hopeful transformee a loser? Whatever happens, the bottom line of reality television's "reality" is winning or losing.

And yet these are game shows with a difference. They combine the competitive formula of the game show with the emotional and psychological nakedness of confessional talk shows—*Let's Make a Deal* meets Jerry Springer. Whatever the category—talent, physical beauty, survivalist skills, or romance, which encompasses them all—the contestants speak throughout the series about their inner states: their anxiety, their frustrations, their hopes, their feelings about the other contestants. And as the losers are announced at the end of various segments of various series, the camera closes in on and lingers over their faces, catching the slightest signs of distress. In the case of the romantic reality shows, the rejected contestants gather together at the end to comment on the winner; in their defeat, they become retrospective judges whose acid analyses, now at an Olympian remove from the fray, have the effect of making them superior to the winners.

BUT IF REALITY TELEVISION DEglamorizes the celebrity aura of success and perfection by replacing it with the universality of failure and rejection, it also theatricalizes inner experience. Along with being a revolt against celebrity and commercially driven images of perfection, reality television is a revolt against the worship of "the real." It is a rebellion against the exposure of the dark, gritty side of human life that so much popular art—and "high" art, too—has devoted itself to accomplishing over the past twenty years. As Waters observed in *Newsweek* two decades ago, the advent of actuality programming coincided with—and was a kind of retort to—the rise of issue-oriented sitcoms such as *Lou Grant* and *All in the Family,* shows that grappled with burning topical subjects such as racism and abortion. The advent of today's reality television coincides with the rise of harsh programs such as *Oz* and *The Shield* and *The Sopranos,* which portray psychology as candidly as the earlier sitcoms depicted the social and political issues of the day. Reality television is a retort to this grimy, roiling psychic reality, a great respite from it.

The "real" in America now comes down to psychology, to the volatile fact that people have emotions. Feelings are the last frontier. There is simply nothing to be done with them. So much of present-day life seems organized to yield winnings and controlled to minimize loss. Why should emotional life be any different? Why should feelings be permitted to flow spontaneously and authentically? So the great project of popular culture over the past twenty years has been to unleash unrationalizable, incalculable, uncontrollable feelings into the public arena in hopes of organizing them as neatly as the other areas of our life are organized. Memoirs, talk shows, first-person outpourings of one kind or another—they all toss feeling into public view and cry, "Help! Do something about this! Arrange and order and control this mess!"

In the same way, reality television masters angry and confused emotions with an organizing narrative. Reality television applies the sophisticated editing and jump-cuts and voice-overs and musical scorings of film to everyday situations, so as to give everyday life the scripted and directed structure of film. And not only does reality television organize life into a story, it also analyzes and interprets the story while it unfolds—as in *Blind Date,* where captions gloss each situation in which the daters find themselves. It is so hard to live life without help.

And it all gets absorbed into the competitive paradigm of American society. At one point in *The Bachelor,* the bachelor remarks about one of the contestants, "When she said yes, she would stay the night, I felt really good about it." Score! It is just a good move in what is only a game. And we are supposed to be comforted that this is so, that the life of feeling has been safely objectified for millions into another game of winning and losing. It turns out that there is something more frightening than the brutality of the market, and it is the brutality of the inner life. As they say on *American Idol*: "You ask an entire country to step forward and audition." Reality television invites an entire country to step forward and be calmed and stupefied and appeased.

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At the same time, just as reality television turns inner experience into an impersonal game of winning and losing, it comfortingly turns winning and losing into a game with transparently arbitrary rules. Thus the talent shows such as *American Idol,* and the beauty shows such as *Are You Hot?* and *Extreme Makeover,* demonstrate the arbitrariness of success based on talent and beauty by making the judges so obviously biased and cruel, by proving that all you need to transform your physical appearance is sufficient money for the purpose. And the survivalist shows such as *Fear Factor,* in which women dive underwater to retrieve dead rats with their mouths, are not about survival; they are about finding a structure to house and to console competition anxiety. The contestants break from below the rules of dignity and self-respect, in a society where, as everyone knows, the elites secretly break the rules from above. By bringing your self-respect so low and living to tell the tale, what you really do is prove that your self-respect is invincible. It is a spiteful rebuke to the lucky classes, whose existence weighs so heavily on you. And the "romantic" reality shows are not about romance at all. They are about turning the inexorable and inexplicable losses and setbacks and puzzles of emotional life into another transparent, impersonal game with winners and losers. Better to be a loser, after all, than to find yourself in something that is not a game. Because in the end Eliot was right when he said that humankind cannot bear very much reality. Enter reality television. ■

*Mark Lilla*

# The End of Politics

## Europe, the nation-state, and the Jews.

I.

SOMEWHERE IN HIS WRITINGS Leo Strauss remarks that the Jewish problem is the political problem *in nuce.* This pregnant remark was meant to invite two sorts of reflections. One, the most obvious, concerns the historical fate of world Jewry, from the biblical age down through the Diaspora and the establishment of the state of Israel. The other, less obvious, concerns the light that Judaism as a social fact sheds on our understanding of politics more generally. Here Strauss had in mind what he called the "theological-political problem," which he saw as the unavoidable tension between political authority and divine revelation. But the Jewish problem is significant in a third sense, too. For how nations or civilizations cope with the existence of the Jews can, at certain historical junctures, reveal political pathologies whose causes have little or nothing to do with Judaism as such. There are periods when the acuteness of the Jewish problem is a symptom of a deeper malaise in political life and political ideas.

There is little doubt that contemporary Europe is passing through such a moment. It is not the first. Throughout Europe's history there have been periods in which a crisis in political ideas had important consequences for Jews in their relations with other Europeans. The anti-Semitic persecutions of the Middle Ages, which had many sources, also coincided with a disturbance in European thinking about the relation between ecclesiastical power and secular power, between the City of God and the City of Man. The emancipation of the Jews in the eighteenth and nineteenth centuries coincided with the epochal shift from absolutism to theories of republicanism and democracy. And the rejection of those Enlightenment political concepts in the late nineteenth and early twentieth centuries in the name of nationalist, racialist, and anti-modern ideals portended

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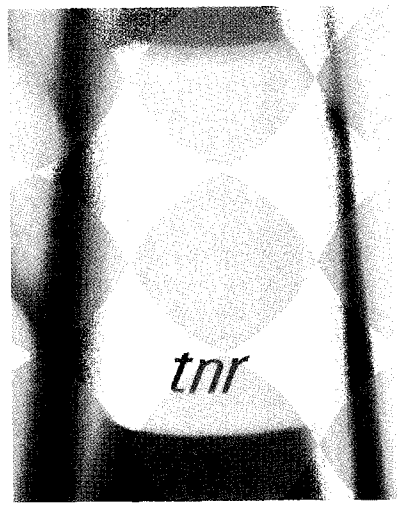


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events that will shape Jewish consciousness for all time.

Today Europeans find themselves living in what historians call a "saddle period." One distinct age has passed, that of the Cold War, and an obscure new one has begun. Looking back on the era just ended, one fact is especially striking about the intellectual life of Western Europe, or "old Europe": the omnipresence of political ideologies and passions, and the relative absence of serious political thought, understood as disciplined and impartial reflection about distinctly political experience. There were exceptions to this intellectual collapse, and they are widely recognized and revered today: Isaiah Berlin and Michael Oakeshott in Britain, Raymond Aron in France, Norberto Bobbio in Italy, and perhaps a few others. But due to the overwhelming attraction of Marxism and structuralism in all their variants, the influence of these thinkers on wider intellectual discussions was actually quite limited in this period. What was paradoxical about those schools was that they encouraged political engagement while at the same time absorbing all thinking about political experience into amorphous discussions of larger historical, economic, or linguistic forces. The result was that political action intensified as political thought atrophied.

VIEWED IN RETROSPECT, THE intellectual flight from political thought in Europe now appears as a reaction to, and a means of coping with, the unique conditions of the Cold War. After the disasters of the first half of the twentieth century, Western European politics were put on ice—or at least some of the essential questions were. Economies were reorganized, constitutions rewritten, parliaments and parties reconstituted, social mores revised. But the most fundamental issue for all modern nation-states—the issue of sovereignty—could not be addressed, because neither the European community as a whole nor Western European countries individually were fully sovereign. The concept of "sovereignty" has been given many, even incompatible, meanings over the centuries, but at its core is the notion of autonomy, which in political terms means the capacity to defend oneself and, when necessary, to decide to wage war. In this respect European nations were not sovereign during the Cold War. There were good reasons why that was so, and why for decades Western European thinkers were relieved not to have to think about such matters, and the United States and NATO were relieved to do their thinking for them. It was a prudent arrangement, but in the end it had unhealthy intellectual consequences.

Those consequences have been on public display in two related spheres since 1989. The most important is Continental thinking about the European Union. In the early postwar decades, there was some inspiring talk about a "United States of Europe," but as the decades wore on, the concept of "Europe" came to have little meaning beyond economic cooperation. Over the past decade, though, we have witnessed an extremely uncritical embrace of the idea of Europe among Western European intellectuals generally, and its invocation as a kind of charm against the most difficult political questions facing the Continent today. There are many reasons for this, and they differ country by country. In formerly fascist countries—Germany, Italy, Spain—the idea of the nation-state remains in ill repute, while the blissfully undefined notion of "Europe" inspires pacific, post-political hopes. In France, the idea of Europe is generally seen not as a substitute for the nation but as a tool for constraining German might on the Continent and American influence from across the Atlantic. And for intellectuals in the smaller countries, belonging to "Europe" means the hope of escaping cultural obscurity.

What Europe means as a distinctly political entity remains a mystery to all involved. The wisest European commentators worry about this. They are concerned about what is called the "democratic deficit" in the European institutions of Brussels and Strasbourg. They also wonder how widely the community can be extended, not only in economic terms but, as in the case of Turkey, also in cultural ones. Yet serious reflection about the nature of European sovereignty and its relation to national sovereignty is rare these days, except among academic specialists. And so natural concerns about the future of the nation, and the public debate about it, have been left to xenophobes and chauvinists, of whom there are more than a few in every European country.

It is nothing less than extraordinary that the idea of the nation-state as the locus of political action and political reflection fell so quickly and so silently into oblivion among Western European thinkers in our time. The great exception that proves the rule is France, where passionate appeals to the Gaullist tradition of national autonomy have run up against equally passionate appeals to European and international cooperation, leading to the kind of diplomatic incoherence that was recently put on display at the United Nations. There are some understandable reasons for this development, too. After all, one of the important lessons that Europeans have drawn from their twentieth-century history is that nationalism is always a danger, and that it can infect and eventually destroy liberal democracy.

BUT WHAT ARE THE SERIOUS alternatives to the nation-state as a form of political life? Historically speaking, we know what they are: tribe and empire, neither of which Europeans wish to restore as their preferred form of political association. Between those extremes there have been

## Regret

Here's another sin you're sunk within
owl-necked looking back
to where you might have been
or what you could have done
to keep you from the muck
you're stuck standing in.
The lover not kissed the one
you seem to miss
this tree not the one you want to see or shinny
you can't believe this skintight *is* your skin.
The road not taken was always
the one worth trying. But you didn't
think so back then only now
in constant replay
while you're stewing out here
on the highway thumbing
for your life.

**SHARON DOLIN**

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short-lived experiments with small, defenseless republics and weak, ephemeral leagues or alliances. But for more than two centuries the fate of decent and humane politics in Europe has been tied to that of the nation-state as the dominant form of European political life. And we can see why. If a moderately sized political entity is to attract the loyalty and the commitment of its citizens, it must find a way to bind them together; and among the ties it finds ready to hand are those of language, religion, and culture, broadly understood. Yes, those ties are artifacts of history, subject to manipulation and "invention"; they are not brute facts. But they are, politically speaking, extremely useful inventions, given that only the rarest of states could generate those ties by civic means alone. (Not even the United States or Switzerland manages to do so.) One of the long-standing puzzles of politics is how to wed political attachment (which is particular) to political decency (which knows no borders). The nation-state has been the best modern means discovered so far of squaring the circle, opening a political space for both reasonable reflection and effective action.

It may be that the European Union will turn out to be something new, and beneficent, on the European political landscape. I am skeptical, but it is possible. What is certainly clear, though, is that European institutions have not yet reached that stage, nor do they have the kind of public legitimacy that would permit them to be the focus of political life in terms of action or attachment, let alone reflection. So what is the focus of intellectual reflection on European politics today? The nation is still there, but it must lurk in the background, unacknowledged. To paraphrase the wicked Joseph de Maistre, I have never yet met a "European" intellectual: I have met French intellectuals, Italian intellectuals, and German intellectuals, and I have heard it rumored that there are English intellectuals; but there are no "European" intellectuals. Writers and thinkers still use their national languages, they still absorb themselves in parochial national debates, and they still take rather characteristic national stands on certain issues. Yet all these realities notwithstanding, the idea of the nation-state as a distinct form of political life is simply not an important theme for Western European thinkers at this time. They have, thankfully, stopped trying to answer the question of whether a nation has an "essence"—Renan's famous question, *qu'est-ce qu'une nation?* But they have also, more disturbingly, ceased to think seriously about the political function of nation-states—*à quoi sert la nation?*

THE DEBACLE OF THE BALKANS in the late 1990s, and Western Europe's painfully slow response to the threats of political collapse and even genocide there, had something to do with this intellectual paralysis. For the first time in fifty years, European thinkers faced a military crisis to which they could have responded, and probably should have responded, without American assistance. But who exactly was supposed to respond? The nation-states of Europe, acting alone or in concert? Or "Europe," the European community, conceived as a coherent political entity? Many European intellectuals were opposed to any intervention, on different grounds, and sometimes on purely pacifist ones, as in Germany. A number of quite prominent thinkers, especially in France, called for intervention on humanitarian grounds, though without much caring what sort of political entity handled the job. As German Foreign Minister Joschka Fischer, one of the earliest and most vigorous supporters of intervention, remarked in a recent interview, pan-European institutions simply are not yet capable of handling these sorts of crises. And so the catastrophe in the Balkans proceeded for a long time unimpeded. Europeans no longer think of the nation-state as the sole place where foreign policy should be determined and military means chosen, but they are not yet able to treat the European Union as that place. As a result, they have generally ceased to think seriously and responsibly about such matters.

It will be said by some intellectuals that that is because Europeans, given their recent history, have discovered the need to regulate such matters through international law and organizations. But this simply removes the problem to a higher, and far less stable, plane. If the sovereignty and the political legitimacy of the European Union is a complicated business, the moral and political authority of the United Nations or a World Criminal Court or non-governmental organizations is infinitely more so. It is simply a fantasy to think that the perennial problems of politics can be dissolved through progressive juridification or humanitarian aid, which is what some very

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serious European thinkers, notably Jürgen Habermas, clearly have in mind. The danger is not that thinking so might make it true; it is that no amount of thinking ever will. Wars that involve European nations will happen, sovereignty will be exercised—and European thinkers will simply be less prepared to understand both of those inevitabilities if the fantasy of escaping them retains its grip on the European mind.

## II.

IT IS AGAINST THE BACKDROP OF this intellectual crisis of sovereignty that the contemporary "Jewish question" in Europe must be seen. For centuries that question was, broadly speaking, one of inclusion: what sorts of people could be citizens and under what conditions, whether religion mattered, whether differences could be tolerated. This form of the problem still exists in Europe, though today Muslims are more likely to be the object of prejudice and violence than Jews are. The battle for toleration as an idea has largely been won; the challenges now are to put it into practice and to understand its limits within each national context.

It is not the idea of tolerance that is in crisis in Europe today, it is the idea of the nation-state, and the related concepts of sovereignty and the use of force. And these ideas have also affected European intellectual attitudes toward world Jewry, and specifically toward Israel. Here there is an extraordinary paradox that deserves to be savored. For centuries Jews were the stateless people and suffered at the hands of Europeans who were deeply rooted in their own nations. The early Zionists, from Hess to Herzl, drew a very simple lesson from this experience: that Jews could not live safely or decently until they had their own state. Those who claim today that the state of Israel is the brainchild of nineteenth-century European thought are not wrong; this is hardly a secret. But the point is often made with sinister intent, as if to suggest that Israel and the Zionist enterprise more generally represent some kind of political atavism that enlightened Europeans should spurn. Once upon a time, the Jews were mocked for not having a nation-state. Now they are criticized for having one.

And not just any nation-state, but one whose founding is still fresh in living memory. All political foundings, without exception, are morally ambiguous enterprises, and Israel has not escaped these ambiguities. Two kinds of fools and bigots refuse to see this: those who deny or explain away the Palestinian suffering caused by Israel's founding, and those who treat that suffering as the unprecedented consequence of a uniquely sinister ideology. The moral balance-sheet of Israel's founding, which is still being composed, must be compared to those of other nations at their conception, not to the behavior of other nations after their existence was secured. And it is no secret that Israel must still defend itself against nations and peoples who have not reconciled themselves to its existence—an old, but now forgotten, European practice. Many Western European intellectuals, including those whose toleration and even affection for Jews cannot be questioned, find all this incomprehensible. The reason is not anti-Semitism nor even anti-Zionism in the usual sense. It is that Israel is, and is proud to be, a nation-state—the nation-state of the Jews. And that is profoundly embarrassing to post-national Europe.

Consider the issue from the perspective of a young European who might have grown up in the postwar world. From his first day of school he would have been taught the following lesson about twentieth-century history: that all its disasters can be traced to nationalism, militarism, and racism. He might even have learned that Jews were the main victims of these political pathologies, and would have developed a certain sympathy for their plight. But as he grew up he would have begun to learn about contemporary Israel, mainly in light of the conflict with the Palestinians, and his views would probably have begun to change. From his own history he would have concluded that nations are suspect entities, that the distinction they make between insider and outsider is immoral, and that military force is to be forsworn. He would then have likely concluded that contemporary Israel violates all these maxims: it is proudly independent, it distinguishes between Jew and non-Jew, it defends itself without apology. The charges that Zionism is racism, or that Israel is behaving like the Nazis in the occupied territories, undoubtedly have roots in anti-Semitism; but frustration with the very existence of Israel and the way it handles its challenges has a more proximate cause in European intellectual life. That cause is the crisis in the European idea of a nation-state.

Anyone who pays close attention to how the Israeli-Palestinian conflict is handled in the European press, and even in intellectual journals, will see this frustration expressed on a regular basis. I do not think this can be ascribed solely to European pro-Arabism, just as American press coverage cannot be attributed entirely to the feelings of Jewish Americans for Israel. I am convinced that at a deeper level the differences have something to do with the way Americans and Europeans think about political life more generally today, differences that Robert Kagan has highlighted in his powerful little book *Of Paradise and Power*. While it may not be true that Americans are uniformly Martian (Woodrow Wilson was not Belgian, after all), Kagan is correct that the European consensus today, from left to right, is thoroughly Venutian in spirit. This causes occasional friction with the United States, but it is a source of fundamental disaccord with the Zionist project. For Zionists today are indeed from Mars, *par la force des choses*.

Even European sympathy for the Palestinian people, which is understandable and honorable, has an oddly apolitical quality to it. One would think that those concerned about the future of the Palestinians, and not simply about their present suffering, would be thinking chiefly about how to remove them from tutelage to terrorist and fundamentalist organizations, and how to establish a legitimate, law-abiding, and liberal political authority that could negotiate in good faith with Israel and manage Palestinian domestic affairs in a transparent manner. But there is almost no intellectual awareness in Europe of the political obstacles to peace that exist among the Palestinians, nor has there been much encouragement of political reform. To judge by what is written, the European fantasy of the future Middle East is not of decent, liberal nation-states living side by side in peace, but of some sort of post-national, post-political order growing up under permanent international supervision. Not Menachem Begin and Anwar Sadat shaking hands, but Hans Blix zipping around Palestine in his little truck.

Anyone schooled in the history of the nineteenth and twentieth centuries is well aware of the political pathologies of the nation-state and the idolatry that it invites. The legitimacy of the nation-state should not be confused with the idolatry of the nation-state. But for many in

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Western Europe today, learning the grim lesson of modern history has also brought with it a forgetting of all the long-standing problems that the nation-state, as a modern form of political life, managed to solve. The Zionist tradition knows what those problems were. It remembers what it was to be stateless, and the indignities of tribalism and imperialism. It remembers the wisdom of borders and the need for collective autonomy to establish self-respect and to demand respect from others. It recognizes that there is a cost, a moral cost, to defending a nation-state and exercising sovereignty; but it also recognizes that the cost is worth paying, given the alternatives. Eventually Western Europeans will have to re-learn these lessons, which are, after all, the lessons of their own pre-modern history. Until they do, the mutual incomprehension regarding Israel between Europeans and Jews committed to Zionism will remain deep. There is indeed a new Jewish problem in Europe, because there is a new political problem in Europe. ■

# *James Wood*
# Thinking

MORTALS
By Norman Rush
*(Alfred A. Knopf, 715 pp., $26.95)*

JOSEPH CONRAD HAS HAD RELATIVELY little influence on the contemporary American novel. Naipaul, Greene, and Céline (in *Journey to the End of the Night*), all keen absorbers of Conrad, were partly prodded abroad by the disintegration of empires, British and French, which offered rich and seedy locales for the observation of politics and motive. But America is its own vast imperium, reducing its satellites to mere moons, and in general American novelists have found quite enough at home to interest them. Philip Roth famously wrote in the early 1960s that perhaps the novel could not keep up with the wild fictionality of American reality. Those American writers interested in non-American worlds, and drawn to the examination of alien politics, such as Robert Stone and Joan Didion, have tended to labor under Graham Greene's easier shadow, rather than risk Conrad's more taxing presence.

Norman Rush is the great exception. Surely the only considerable American novelist who has never yet written about America (though he is very interested in Americans), he has set his three books in Botswana, a country in which he lived between 1978 and 1983. The books, like eclipses, arrive rarely, but tend to impose themselves massively. *Mating,* Rush's first novel (his first book was a fine collection of stories called *Whites*), appeared in 1991; *Mortals*, larger still than the intricate and dense *Mating,* is only his second novel, and has been at least a decade in the making. It might be said that both these remarkable novels have as their theme the clash of American desire and African politics, and that both are about the eruption into American lives of charismatic seducers. In *Mating,* the female narrator, an American anthropologist, becomes enamored of Nelson Denoon, a showy intellectual who has founded a utopian community in the Kalahari desert; and the central story of Rush's new novel concerns an American woman's affair with an African American therapist named Davis Morel, who has arrived in Botswana from Cambridge, Massachusetts, ready to go native and to preach a curious blend of militant atheism and self-help healing.

Rush recalls Conrad not only in theme but also in language, even if he does not precisely resemble him. The Conrad of whom Ford Madox Ford wrote that he practiced a "ferocious avoidance" of the ordinary sentence, who would go to great lengths to disrupt and to ornament the standard literary vernacular, must be an example to Rush. One reason that Rush has so excited literary readers—and excited them on the strength, until now, of only one novel—has to do with his extraordinary prose, which could only be American, and which, like Bellow's language, combines high and low registers in greatly unstable compounds. He is very interested in speech, in the slightly barbaric twisting of language that we commit when we speak, or speak to ourselves.

In addition, his American characters are proficient, perhaps slightly glib intellectuals, who enjoy showing off their mastery of the latest technical argot. This argot has thoroughly contaminated their ordinary speech. The narrator of *Mating* spoke—and thus the whole novel sounded—like this: "This jeu maintained its facetious character, but there came a time when I began to resent it as a concealed way of short-circuiting my episode of depression, because he preferred me to be merry, naturally." (That little rhythmic hiccup at the end of the sentence, closed by the literally feminine ending of the adverb, which seems to stick out over the end of the sentence, is a favorite device of Rush's when he wants to capture the hobbled but speedy pace of talk.) Or: "Undressed he became laissez-faire. He was fundamentally sexually secure." Or: "I was manic and global. Everything was a last straw. I went up the hill on passivity and down again."

IN THE WAY OF ALL POWERFULLY narrated first-person monologues, *Mating* occasionally breeds in the reader the desire to escape the constant intensity and interest of the language, as houseguests sometimes want to escape their over-vivid hosts. It is the price that the writer pays for the immediacy of first-person access. *Mortals* is told in the conventional third person, so that it distributes its effects more spaciously and calmly, as is proper for such a massive work. But Rush has not lost his interest in spoken language; indeed, he has intensified his study, at once funny and brilliant, of what happens to language when brainy Americans get mixed up with it. *Mortals* is many things, and does many things beautifully, but its central achievement has to be the fidelity with which it represents consciousness, the way in which it tracks the mind's own language. This concern with the insides of our minds makes Rush almost an original in contemporary American writing.

The book's consciousness—we inhabit only his, despite the many other characters—belongs to Ray Finch, a minor (that is to say, unpublished) Milton scholar, who is teaching at a school in Gaberone, the capital of Botswana, and also doing contract work for the CIA. (The book is set in 1992.) Ray is a liberal meliorist, with no great affection for the agency—the type of man who thinks that Americans do great good, that commu-

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nism was well vanquished, but that Guatemala was a sorry example of American overreaching. He reports to the station chief, named Boyle, whom he loathes. Ray is an involving presence (fortunately enough, given the book's length). He is highly intelligent, a precise noticer (he is trained to notice), with an apparently stable, calm, pedantic, and "relentless" (his wife's word) temperament, given only to outbursts against, as he sees it, female instability and hysteria.

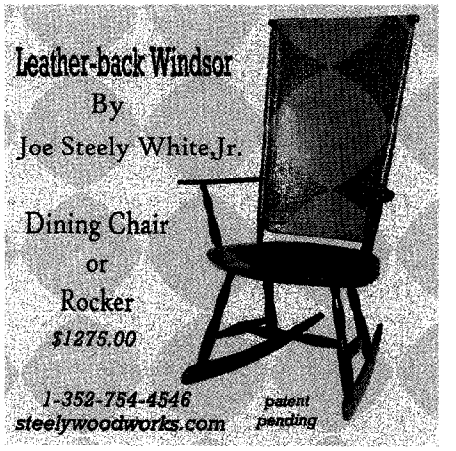
One of Rush's achievements in the creation of this character is to make us believe that he is indeed a Milton scholar, that he loves language, and especially seventeenth-century language. During the course of the book, Ray uses words such as "hellmouth," "pismire," and "slumgullion," all in entirely natural ways. When he complains to himself about his wife, he uses a formulation that has Rush's verbal quirkiness, and yet remains true to Ray's calling as a teacher of literature: "It looked like the universal conspiracy of women, stanza nine billion, on the face of it." That word "stanza" is perfect for the kind of man wielding it; and again one notices Rush's staggering of the sentence, the jumpy rhythm of thought. Later, when Ray again returns to the question of women, and to the idea that women never forget anything, he thinks to himself: "But here it was again, the past that lives forever, in detail, with women, like the women in Joyce, The Dead, ruining everything." The jerky rhythm is there again, with that repetition of "women," but there is also something delicate about the way Rush has Ray think not "in Joyce's 'The Dead' " or "in Joyce's story," but "in Joyce, The Dead," which reproduces the crawling movement of identification by which thought moves.

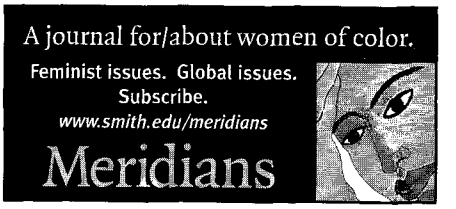
Ray's way of thinking to himself, or speaking to himself, combines the precision of a spy, the language of a scholar, and the officialese of a bureaucrat. Rush has fun inventing Ray's patois, and the pleasure is contagious. Talking to Boyle, who is a standard-issue CIA type, full of agency folklore, Ray realizes that he "was going on too long and he knew it, but he couldn't make himself stop.... He hated the slings and arrows of staircase wisdom." A little later, he thinks: "Boyle was normally laconic, and laconic at a completely standard middle-class level of word choice." When Ray notices a sheathed *TLS,* Rush puts it with apt pedantry: "He had two *Times Literary Supplements* still in their glassine sleeves." Ray's wife Iris is clever like Ray, but unlike him she is witty (she refers to Kleenexes by a bogus Latin plural, "Kleenices"). She, too, speaks an utterly contemporary American discourse, a mixture of the slangy and the overeducated or theoretical: "He can't get rid of the furniture without it being a critique of his own project." Or: "He's a very good writer, but he has an imprimatur problem" (meaning: he is unpublished).

THIS MARRIAGE IS AT THE CORE of the novel, which is, despite its many interests, a traditional novel of adultery. In a sense, the book inverts *Othello.* Ray, a white man, suffers excruciating sexual jealousy as he imagines his white wife involved in an affair with the black American Davis Morel. For a good part of the novel, Ray's sexual jealousy, like Othello's, seems unjustified, and it is only when Ray meets Morel in the Kalahari desert that his fears are finally confirmed. Ray is concerned with the perfection of his marriage, to an obsessive degree. At times Rush seems to overdo the vitality of Ray and Iris's marriage, as if to convince us of the horror of Iris's eventual adultery. There is a little too much about how Iris has "perfect parts" and perfect breasts, how fabulous they are in bed, how she would regularly cut Ray's toenails "out of love," and how "Iris could look at him and tell if he was hungry whether he said anything or not." When Rush tells us that Ray had never been able to finish *Madame Bovary* "because the idea of a wife committing adultery was upsetting to him," one feels that he is throwing too many eggs into his pudding.

After all, Rush has already suggested, much more subtly, that Ray is unstable on the question of his wife, and that his idea of the marriage may be rather different from hers. Ray's reading of "The Dead," for instance, was slightly self-aggrandizing. The idea that female memory, which never forgets, "ruins everything," especially for men, is exactly what the protagonist of "The Dead," Gabriel Conroy, thinks. But Joyce's point is that the over-fastidious Gabriel Conroy is himself a hysteric, and Ray's identification with Gabriel suggests that Ray is also something of a hysteric. He is consumed by visions of female conspiracy, but he of course belongs to that great male club of conspiracy, the CIA. (His work for the agency has come between him and his wife; she is more liberal than he is, and longs for him to disengage.) One realizes that in a novel dominated by a single consciousness there is very little of anything resembling objectivity. Rush's characterization of Ray's marriage is really Ray's characterization of it, and Ray cannot be wholly believed: Iris's eventual unhappiness and infidelity cast doubt on Ray's credibility. He is a first-class noticer, but not, perhaps, of his own wife.

The novel's machinery is properly started when Iris reveals to Ray that she has been depressed and that she has started having therapy with Davis Morel. Ray knows about Morel, because he has tried to argue to Boyle that the CIA should be interested in this seductive African American rabble-rouser, who has recently quit Cambridge for Gaberone. But Boyle has ignored Ray's entreaty, and has instead asked him to keep tabs on Samuel Kerekang, the leader of a grassroots movement that mixes Ruskinian socialism with African nativism. When Ray learns about Iris's sessions with Morel, he is immediately suspicious. His wife has been acting secretively; an affair would explain much. He broods on this question, and the great accomplish-





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ment of the novel lies in the way in which we are made to inhabit Ray's brooding.

Rush achieves this with a superb combination of free indirect style—the technical term for third-person narration that is so close to a character's thought that it resembles first-person monologue—and stream-of-consciousness. In order to demonstrate Rush's brilliance, one has to quote at length. Here, Ray is sitting opposite his loathed CIA chief, Boyle, and beginning to drift away. He thinks of how much he loves his wife:

> It came to him then that probably one of the best things, or at least one of the simplest good things, you could do with your mortal life would be to pick out one absolutely first-rate deserving person and do everything you could conceive of in the world to make her happy, as best you might, and never be an adversary on small things. . . . And the idea was to let this single flower bloom without notifying her of what was going on. Because it would be on the order of a present because it was only fair reciprocation for someone who enthralled you and who had incidentally saved you from your demons. Or the idea was to so charge her life with his appreciation that some morning she would sit up and say What the fuck is going on with us, I am so happy. The idea was to let this single flower bloom until it was something monstrous, like an item in a Max Ernst collage, something that fills the room and the occupant says *Oh, this is you, this is you, my beloved friend, my love, now I see,* something along those lines. He was going to float her in love and she would be like those paper flowers that open up. Water rising around her. She didn't know about him that he could get an erection just thinking in passing about her and that on one occasion he had to claim that he was having a hamstring problem, sitting facing Boyle was when it had happened, sitting facing Boyle and saying Ow and massaging his Achilles tendon so he could sit there until it was decent to get up. Boyle was divorced, or rather separated, since he was a Roman Catholic. He was in some null state with his wife, was the story. A lot of regular officers in the agency were divorced. A divorce would kill Ray. Maybe the evaporation of Russia would make it easier. He wasn't sure what he meant, unless it was that a certain pressure had gone out of that sector of his work. He couldn't believe it was over with the Russians, leaving only bullshit antagonists on the horizon, it looked like now. Maybe they could all relax some. And the joke of it was that Russia had gone up in mist not because of anything we had done, really. The agency had been amazed, startled. All this would probably never lead to a verbal event, where she says Good God, I seem to be floating in love. It would be enough if she just thought it, or something like it. No, he had been too average in his attitude and all that toward her in the past, and now he knew it and so would she, soon enough, although she would feel it before she truly knew it, but he was repeating himself. So this would be his new secret work. It would be like adding, say, potted blue hyacinths, one pot at a time, to a shelf or a ledge in the living room, one at a time, until the atmosphere was paradisiacal.

Reading this fantastical passage—there are many like it in the book; indeed, it is the book's very mode of narration—one recalls what fiction can supremely do with the mind, and how very rare is this kind of mastery, let alone this preoccupation, in current American writing. Look again at the passage: it is both lyrical (ending with the image of the hyacinths) and awkward (that repeated "because"); one sees how easily Ray passes from thinking about his wife to Boyle (who is sitting opposite him), to Boyle's marriage, to the geopolitical status of the world, and then, in what seems like a non sequitur, back to his wife: "All this would probably never lead to a verbal event, where she says Good God, I seem to be floating in love." Notice also how Rush moves Ray's thought from third person to first person and back again: "And the joke of it was that Russia had gone up in mist not because of anything we had done, really. The agency had been amazed, startled." (There is also the oddity of the phrase "gone up in mist," rather than the more usual "gone up in smoke"—precisely the curious way we customize clichés when we pass them through our minds.) And how much, too, this single page of the novel tells us about Ray: not only about his anxious devotion, but also about his secret agent's tendency to control. It is characteristic, after all, that Ray would think of letting the single flower of his wife bloom, "without notifying her of what was going on." Ray may love his wife to death, but we understand, thanks to passages like this, why she might want to escape this mixture of control and withholding.

Rush is a fine manipulator of what Conrad knew as *progession d'effet*—the steady intensification of plot and meaning as the novel builds towards its climaxes. As Ray becomes more certain that Iris is being unfaithful, his mental thought becomes less a drift than a tattoo, drumming again and again on the unblemished skin of his "perfect" marriage. The passage in which Ray comes up with the vaguely Miltonic word "hellmouth" is a fine example. He begins by reflecting on the childlessness of his marriage:

> He had never been captivated by the idea of reproducing himself. But he had wanted it very much, for Iris. He had, despite the fact that children exposed you to hellmouth, which was the opening up of the mouth of hell right in front of you, without warning, through no fault of your own. It was the mad gunman shooting you at lunch and it was the cab jumping the curb and crushing you. It was AIDS and it was the grandmother, the daughter, the granddaughter tumbling through the air, blown out of the airplane by a bomb, the three generations falling and seeing one another fall, down, down, onto the Argolid mountains. With children you created more thin places in the world for hellmouth to break through. Morel was hellmouth for him. Hellmouth was having the bad luck to be born in Angola anytime after 1960. And hellmouth was Bertrand Russell coming home from a bicycle ride and announcing to his wife that he had decided he didn't really love her, like that. That was hellmouth, too.

About halfway through the book, the story shifts gear. Ray is sent north, to the Kalahari desert, to report on the activities of Samuel Kerekang's men, who have been burning villages and killing livestock. What might be, in another kind of novel, an obvious attempt to splash some action into a rather floating psychological narrative, seems anything but expedient here. The novel's bulk has already so properly ballasted Ray, has made his mind so present to us, and has filled in so many elements of his life, that

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we travel with Ray rather than travel merely with Rush to the Kalahari. Ray has a job of surveillance to do, but his mind is consumed by his suspicions of his wife. In addition, he has been sent to spy on Kerekang, but unlike his station chief, Ray likes Kerekang, rather approves of him, and enjoys his old-fashioned socialist's devotion to rousing nineteenth-century poetry. He is much more interested in doing surveillance on the suspected adulterer Davis Morel. Moreover, he is thinking remorsefully of his gay brother Rex, whom he suspects is dying of AIDS in California. He has a manuscript of his brother's, a kind of novel, a vast modernist assemblage with the title *Strange News.* (Rush, who has a gift for pastiche and parody, reproduces pages of this book in all its vivid, ambitious awfulness. It has sections with titles like "All Power to the Country Clubs!," and "Titles," a chapter devoted to possible titles of unwritten books. One of the titles is *Out to Luncheon: Notes Toward a More Elegant Mode of Disparagement.*) Ray has always loathed and feared his clever, bitchy, somewhat feckless younger brother. At first, he feels the same way about *Strange News.* But his terrible experiences in the Kalahari change him, and by the end of the novel he is carrying the manuscript around with him, strapped to his chest, as a kind of penance.

The two hundred or so pages in which Rush describes what is in effect a small African civil war seem to me some of the most extraordinary pages written by a contemporary American novelist. Again, one admires the precision of Rush's effects, which keeps his lyricism on a tight budget. For example: "The horizon seemed to be writhing"—a marvelous description of the hazy, sun-battered rims of a very hot country. Or: "cooking fires wagged in some of the lolwapas" (a lolwapa is a traditional courtyard; Rush's verbs are often potent like this). Or: "The blackness around them felt irregular, like a fabric being shaken. It was bats at work, swerving and fluttering their ugly wings."

Ray is captured by soldiers organized and funded by the South Africans and interrogated by a Boer named Quartus. He is thrown into a makeshift prison, and joined a day later by Davis Morel, who has come north, at Iris's insistence, to find out what has happened to Ray. It is in their hut-like prison that the two men confront each other. Morel confirms that he and Iris are lovers, and that Iris wants to leave her husband and live with Morel. Ray must absorb this devastating news while trying to save Morel and himself from death.

The two escape, are snatched up with Kerekang's forces, and fight a fierce battle against Quartus and his irregulars. Rush's writing is tautly exciting; there are tremendous swirls and billows of prose. The Conradian alienation principle is brilliantly employed: when Ray finds himself back in the interrogation room—the compound has now been abandoned by Quartus and company—he notices that the floor is full of "cigarette butts and empty soda cans and, here and there, roses. He was amazed, but only until he realized that the roses were wads of blood-stained tissue." Eventually, Ray comes face to face with his former interrogator, struggles with him, and finally shoots him clumsily, in the hip: "Quartus screamed and let go. His jodhpurs were filling with blood, one leg of them was." Might there have been, in the back of Rush's mind, the famous image in *Heart of Darkness,* when the helmsman is killed by a spear and falls at the feet of Marlow, who notices that "my feet felt so very warm and wet that I had to look down ... my shoes were full; a pool of blood lay very still"?

In this gripping second section of the book, Rush blends Conradian action—the warfare is as involving and convincingly haphazard as that at the end of *Lord Jim*—with his sustained interest in the contents of Ray's mind. His ability to sketch the different political allegiances of Kerekang, of his young supporters—teenagers with Kalashnikovs, of the American quack Morel, of the received wisdom of the CIA chief, and of many others is deeply impressive, since a high level of analysis never insults the hospitality of storytelling. *Mortals* is above all a novel, not an essay or an ideological thriller (as, say, Didion's political novels are). The book becomes a study of a man finally subjecting himself to examination, and not enjoying what he finds.

It is really the story of a man disengaging himself from conspiracies. By the end of the tale, Ray has decided to leave the CIA. His experiences in the north, his proximity to death, his anger at the way the CIA has bungled what ought to have been an easy task in largely peaceful Botswana, and his wife's terrible decision that she can apparently live without him—all these experiences conspire against him, reduce him, humble him. At last he is on his own, and wants to remove himself from the two institutions that have sustained him, his marriage and the agency: "Ray thought that he would be willing to die if it was going to be pitch black, hell zero, diving through the zero like a clown through a burning hoop and then nothing. He hoped to God the atheists were right. Because if there was an afterlife it would be institutional because somebody would have to run it and he couldn't go through that again. And the only worse thing would be reincarnation and back to the ocean of human institutions again."

Ray returns several times to a glorious line of John Webster's: "like diamonds we are cut with our own dust." "Dust," in Webster's diction, has the sense of death, the dust of death, and Rush clearly wants the line to make resonant the book's title. In the Kalahari, Ray does begin to think of himself as a "dying animal." But Webster's line has a simpler application, too: if we are truly cut with our own dust, then perhaps this means that Ray is really the reason for the breakup of his marriage? And does it not suggest likewise that the CIA tends to create the problems that it wants to solve?

*Mortals* is a deeply serious, deeply ambitious, deeply successful book. Like all such books, it is not without faults. Ideologically speaking, Ray, the liberal who eventually leaves the agency, is perhaps too good to be true, so that one wonders about the likelihood of such a right-thinking (or, rather, left-thinking) fellow ever joining the CIA in the first place. And the novel has the air at times of a once fatter man whose thinner frame is now making his skin sag a bit: there are abrupt transitions and sudden deposits of information. But big books flick away their own failings and weaknesses, make insects of them. And how much is accomplished here! For once, knowledge in an American novel has not come free and flameless from Google, but has come out of a writer's own burning; for once, knowledge is not simply exotic and informational, but something amassed as life is amassed, as a pile of experiences rather than a wad of facts. (Botswana is never a backdrop but always the fabric of Rush's fictions, and he clearly knows and loves the country.) And for once intelligence is not mere "smartness," but an element inseparable from the texture and the movement of the novel itself. For once it is novelistic intelligence, for which we should give thanks. ■

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## BUENOS AIRES DIARIST

# Falcon Crest

YOU CAN TELL A LOT ABOUT a country by the kinds of cars its people drive. In the United States, the sport utility vehicle suggests prosperity and cheap oil. In less developed Latin American cities, such as Lima, visitors see fleets of old Toyota minibuses—used to haul around the large number of folks who don't have cars. Mexican towns have Volkswagen Bugs, discarded by Americans as too dangerous but loved by Mexicans for their ease of repair.

THE CAPITAL OF ARGENTINA HAS A DIFFERENT flavor. *Portenos*, as Buenos Aires's residents are known, drive late-model European imports, as befits the city's once-large upper-middle-class population. Or they drive vintage Ford Falcons. When I visited Buenos Aires in May, the sight of the Falcon cruising Buenos Aires was a bit unsettling. During the dictatorship of the late '70s and early '80s, after all, the Argentine military used the Falcon to abduct people suspected of anti-government activity. The spacious trunk was perfect for a body. After picking up its targets, the Falcon would be driven to the Navy Mechanics School, where the trunk's occupant would be deposited for torture. For many years, the Falcon struck fear into Argentine hearts. Yet, 20 years after the end of the dictatorship, I saw Falcons on practically every street. It's hard to know what the Falcon's popularity says about Argentina. Ask Mercedes Meroño, vice president of *Asociación Madres de Plaza de Mayo*, a group formed to protest the disappearances brought by the dictatorship, and she simply denies the cars are popular. A more convincing response comes from cab drivers, who all drove Falcons until the taxi authorities forced them to upgrade to newer vehicles. Cabbies insist the car was beloved before it was pressed into unsavory service by the junta and therefore bears no stigma.

PERHAPS THE FALCON IS JUST ONE EXAMPLE of Argentina's refusal to dwell on its tragic history. The sentiment seems apparent elsewhere, too. While a new Evita museum opened last summer, there are few places in the city that document modern history. The government museum inside the *Casa Rosada*, the presidential palace, stops its tour of presidential history in 1966. All the city's memorials to recent history seem impermanent ones; there are no concrete structures, only the *Madres*.

WHILE ARGENTINES SEEM TO FORGIVE the Falcon, however, they are less willing to forgive Carlos Menem, the former president who dominated Argentina's political scene during the 1990s. I visited Buenos Aires during the run-up to the national election, and Menem seemed to be running on some sort of nostalgia platform—not for his own first term, but for Juan Peron's. Menem's campaign signs said only EVITA VIVE. He had married a blonde beauty, perhaps hoping to evoke the memory of the Argentine first lady. But the public didn't buy it. For one thing, they bitterly remembered that Menem disastrously privatized nearly every state function. For another, Menem now looked old. When he first took office in 1989, Menem sported long, white-streaked sideburns and carried a walking stick to create an image of ancient Spanish royalty. Now he looks bizarre because of plastic surgery. Next to his bombshell wife, Menem gave off a kind of Bob Dole image, with most of his face refusing to move during press conferences. His unlined face couldn't cover up plummeting popularity, though. With his opponent, Nestor Kirchner, about to destroy him at the polls, Menem simply pulled out, making Kirchner president.

THOUGH THEY PREFERRED HIM TO MENEM, Argentines appear to have little more love for Kirchner. Practically every person I encountered insisted that all politicians are robbers, running the government for the good of their friends. Indeed, Argentines have a strange tendency to compartmentalize: They act as if politicians are a separate breed. Average Argentines even refer to politicians as the "political class," not making the link between their own behavior and that of their elected officials; Argentines never seem to look inward for the cause of their problems. This distrust—hardly surprising given that Argentina has gone through an enormous economic and political crisis—will only complicate Kirchner's task. As president, Kirchner faces many of the same obstacles that George W. Bush did when he took office. Both men became president without a true mandate, since Kirchner did not have to win a contested election. And both face sluggish economies that hardly seem impressed by the new presidents: As soon as it became apparent that Kirchner would win the election, the Argentinean currency went into a freefall.

SPEAKING OF BUSH, LIKE MANY FOREIGN countries, Argentina is not fond of the American president. Elsewhere, Bush may be known as the "cowboy president," but the Argentines, who themselves lay claim to the cowboy image, instead refer to Bush as "*borracho*"—the drunken president. For some reason, *portenos* believe—based on information from sensationalist local television—that Bush recently underwent alcohol treatment. They find it shocking that Americans aren't more concerned that Bush is a boozer. Disdain for Bush does not translate into disdain for U.S. institutions, however. One night, I met up with a friend of a friend, a lieutenant colonel. He insisted on giving me a driving tour before heading to the swank Recoleta neighborhood. We then headed into a mall where we went upstairs, presumably to some special place my friend frequented regularly. And it was, but it wasn't exactly what I had expected. The colonel had brought us to Hooters.

LIKE MOST COMMERCIAL INSTITUTIONS in Recoleta, Hooters seemed to be doing a booming business—surprising in a country where 60 percent of residents now live below the poverty line. In fact, during my visit, the benefits of defaulting on $141 billion in foreign debt became readily apparent: If you don't have to pay back what you owe, and the consequences of the debt do not trickle down to ordinary people in the form of social services cuts, you can keep spending your cash—at least for now. Buenos Aires is still surprisingly vibrant. The Cartier store in Recoleta is open, cafés are full, and the Falcons are going like hotcakes.

**STEPHANIE MENCIMER**

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# Democracy: A New International Norm?

**Michael McFaul is the Helen and Peter Bing Research Fellow at the Hoover Institution**

[illegible] violation of sovereignty as their chief [illegible] United Nations Charter, opponents of those wars warned that American violation of Afghan and Iraqi sovereignty was illegal, immoral, and threatening to international order.

Forty years ago, these defenders of sovereignty would have been promoting sovereignty as a powerful battering ram for destroying empires and undermining the legitimacy of colonization. Eventually, empire became an illegitimate and extinct form of government; the hope was that acquiring state sovereignty would be the first step toward popular sovereignty. People living in colonies could choose their rulers only after shedding their colonial masters. Decolonization and democratization were to go hand in hand.

Today, however, the champions of sovereignty have become the conservatives. We should respect sovereignty, but it should not trump all other norms all the time. Defending Afghanistan's state sovereignty in 2001 or Iraq's in 2003 meant defending the wretched Taliban and Saddam Hussein. Both the Taliban and Hussein seized "sovereignty" by using brutal force.

In speeches justifying these wars, President George W. Bush proposed a liberty doctrine, which places the sovereignty of individuals above the sovereignty of the state. According to Bush, the sovereignty of regimes elected by their people cannot be violated. But those regimes not so constituted are illegitimate. **Like those who embraced sovereignty as the intellectual counter to empire a half century ago, Bush embraces liberty as a weapon against dictatorship.**

The liberty doctrine is not new. American presidents have sporadically deployed armed force to promote liberty in international politics. With his decisive actions in Afghanistan and Iraq, Bush has given new impetus to the idea of promoting democratic regime change abroad.

Bush actively promoted democratic regime change in places ruled by dictators' threatening the United States. He did not start by dethroning despots loyal to American interests. The real test of his commitment to this doctrine will be his passion for deploying *nonmilitary* means for the cause of liberty in places such as Egypt, Saudi Arabia, and Russia.

The American people are unlikely to support another preemptive war in the name of democracy. Even if Bush remains committed to this new doctrine, others in his administration, in his party, on Capitol Hill, and in other strategic countries are less interested in the project. **As the going gets rough in Iraq and budgets deficits bloat in this country, the president may be tempted to let his doctrine of liberty morph into a smaller doctrine of stability.**

Such a reversal, however, will vindicate the champions of sovereignty and delegitimize the American-led wars in Afghanistan and Iraq. President Bush, therefore, must back up his rhetoric with long-term strategies for securing democracy. If he fails, these wars will have been wasted opportunities and be remembered instead as examples of using U.S. military might for U.S. material gain. If Bush stays the course and builds a bipartisan domestic coalition, then just maybe—forty years down the road—*dictatorship* will follow the same fate as *empire* and become an extinct form of government.

*— Michael McFaul*

Paid for by the Hoover Institution, Stanford University.

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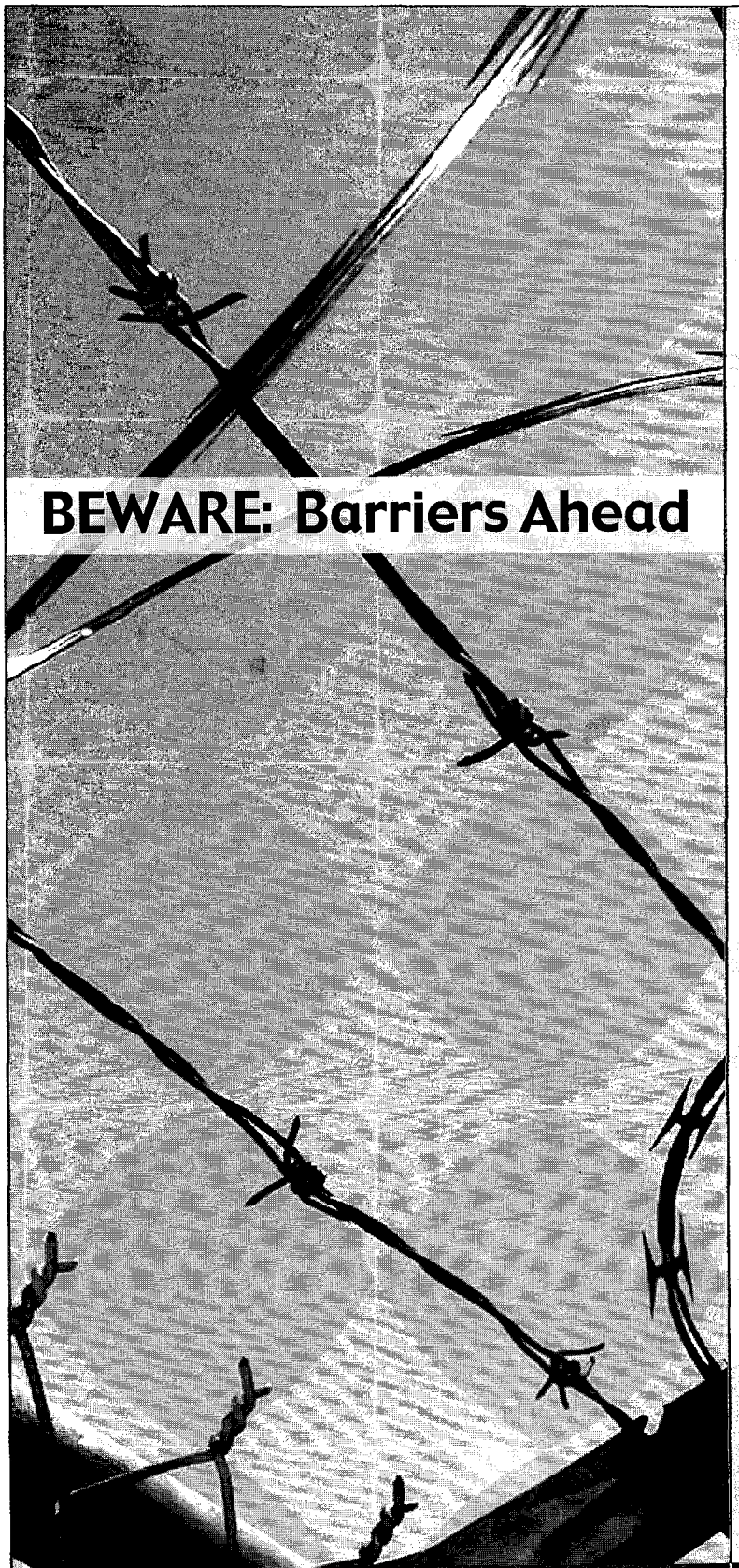


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